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Forty-Fifth Annual Meeting

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VOLUME XXI NUMBER 4

SUMMARY OF AMERICAN LAW

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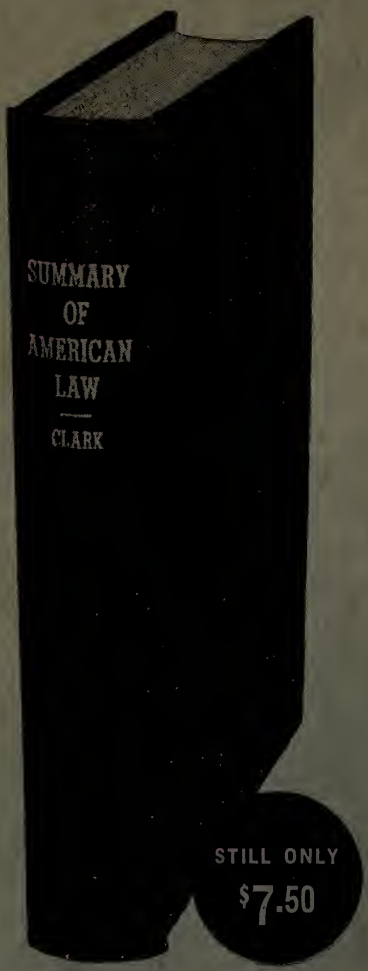

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Retiring President of Mississippi State Bar

PROCEEDINGS OF THE FORTY-FIFTH ANNUAL MEETING OF THE

Mississippi State Bar

Held at Biloxi, Mississippi, on the 22nd and 23rd of June, 1950

The convention was called to order in the Buena Vista Hotel in Biloxi, Mississippi, at 10:00 A.M., June 22, 1950, by R. W. Thompson, Jr., President of the Mississippi State Bar.

The invocation was delivered by Dr. J. N. Brown of Gulfport.

An address of welcome was delivered by Mr. English Lindsey, President of the Harrison County Bar, and was responded to by Mr. Erskine Wells of the Jackson Bar.

President Thompson made several announcements and then read the following new order of the Supreme Court of Mississippi:

"It is ordered by the Court that, for the purpose of relieving the congestion of the docket on account of the accumulation of cases now pending on appeal, a docket of cases will be set for hearing and decision by Division A, as now constituted, on the second and fourth Mondays of each month, beginning on the Second Monday of September, 1950, and by Division B, on the first and third Mondays of each month thereafter, until the further order of the Court.

"It is further ordered that two of the Commissioners whose appointments are provided for under House Bill No. 195, Chapter 317 of the Laws of 1950, shall be designated by the Chief Justice to sit with the three members composing a division upon the hearing of the arguments in cases by each of the Divisions, but that one of the Commissioners who sits with the Division on one Monday shall be relieved by another Commissioner on the next Monday. That is to say, no one Commissioner shall be required to sit for the hearing of arguments more than twice in succession, except where it is necessary or proper for the Chief Justice to fill the place of a Commissioner who is unavoidably absent."

President Thompson then delivered the following report:

ANNUAL REPORT OF THE PRESIDENT

R. W. Thompson, Jr.

It is customary each year on this occasion that the retiring President intrude upon your time and patience for a few minutes to get anything off his chest that he desires. The latitude and scope of his subject may be unlimited, and he may, and sometimes does, deal with the conditions of an ailing world and his solution of the problem. I assure you that I have this same privilege, but I have endeavored to confine my few scattered and rambling remarks to a subject which, in my judgment, is giving us and will continue to give us serious concern.

Never before could it be more truly said than now, that the future of the lawyers in these United States rests upon our shoulders. It is true enough that we, in the practice today, have had this same responsibility since the establishment of our system of jurisprudence, and we should not shirk it any the less because of what tomorrow may bring in the legal practice, but thousands of us who have been practicing for a number of years have become so engrossed in the immediate necessity of attending to our clients' affairs and so completely obsessed with the idea of practicing law as we learned it and under the rules and system we learned that we do not readily welcome change or progress.

While the foundation principles upon which the concept of law is based are unchanging with the times, the application of those principles and the administration of justice through the medium of the Courts is a very fluid thing and one subject to constant evolution and change. In the short quarter of a century nearly, in which I have practiced, I have seen many changes in the method of the administration of justice, changes which I would not have believed possible had a speaker stood where I am standing twenty-five years ago and made these predictions. I refer particularly to the broad field of administrative law and of the vast number of boards which have been set up for the administration of this law, and, when we compare the changes in this field alone, as compared to thirty or thirty-five years ago, we are forced to the conclusion that whether we have wished it or not these changes have come about in the constant evolution through which the law must ever go.

Another great change in the procedural aspect has been illustrated in the adoption of the Federal Rules of Civil Procedure, and more recently the Federal Rules of Criminal Procedure, which in these courts have swept aside and radically changed some of our basic concepts of everyday law practice, and while some have welcomed these changes, there are many who have not, and it is of no difficulty whatever to provoke a never ending argument when the subject is brought up. I believe that the enlargement of practice before boards under administrative law has been brought about largely through the reluctance of the lawyer to study and accept changes that would more quickly and more efficiently administer justice. Rather, clinging tenaciously to the old way of doing things, he has found himself engulfed in a stream of changing conditions and has oftentimes been unable to reorient himself.

Public opinion is one of the greatest forces in human life. It is a great stream made up of a mass of individual opinion, and for anyone to live harmoniously in his group, he must move with the stream. If he ignores or attempts to move in opposition to it, he feels its pressure against him and, to some extent, he may modify its flow, but the flow will continue nevertheless. I do not mean by this that the lawyer of today or tomorrow should go along with the stream regardless of his own opinion. Rather, I think that it is his duty, as well as his privilege, to raise his voice against those things he believes to be wrong. I do mean to say that the law in its administration and application is undergoing an evolution within itself, and we must adapt ourselves to those changes and must meet the present challenge or else those splendid traditions and ideals which have always been the cornerstone of the law will perish and with it will go the prestige and public confidence which we have enjoyed in the eyes of the public.

While it is quite true that our clients repose the greatest confidence in our integrity and our ability, yet it is a disturbing fact that the great mass of the public at large view the lawyer with mingled doubts and suspicion. That is one reason why many people do not enter law offices. They are afraid of the lawyer. They doubt his honesty and darkly suspect him of alliance with criminals and racketeers, and fear that if they entrusted their affairs to him, he would take advantage of them to rob them. They believe that he would overcharge them for his services. You may disagree with me that this group is in the majority, but even if I am wrong and there is only a minority, it is still a matter of grave concern. I do not think that this large group will think as strongly about it as a strong-minded Ohio testator about sixty years ago (who may have lost a case in court):

> "I wish to put this on record for the benefit of my posterity. In my judgment it is of more value than gold or silver or the wealth of India. Shun *preasts* of all orders, Doctors of all professions and lawyers of all grades as you would *evenimost* Serpent. *Preasts* blunt the *Intilect* to rob you of your Earnings, Doctors destroy your *Sistem* to rob you of your Earnings. I don't include *Surgerry* with Doctors and above all classes that afflict *Humaity* the Lawyers is the worst, they instigate contention and out of that contention they *pry uppon thare* subject they are like a confederation of robbers they have no principal they *pry uppon thare* subject as long as they can get one dollar from them and then they drop them and divide the spoils among themselves and hunt other subjects to ruin. I have known *Attornies* that have worthless clients to *insite* them to commence action against *responsable* persons who have to *imploy* an *attorny*— and the two or more *(thare* is generally a gang of them) would confederate together and keep the case in court till they could worry money out of the *responsable* party to get out of the clutches of the Dragons and then they would divide the spoils. I don't say *Preasts* Doctors and Lawyers is of no use but *dew* say the Evil they *Dew* far surmounts the good and the human *famaly* would be far better off without them."

While the situation generally may not be this bad, it is indicative of the thought felt in some quarters. There are a few leading problems which confront the profession in its public relations.

1. *The Unreached.* We know that in a general way many people never consult a lawyer—just how many no one knows, but the large number is suggested by the fact that four out of five clients in cities where the Lawyers Reference Plan is used have never been in a law office before. Yet these same people buy and sell real estate, make contracts, pay taxes, die and leave property, and at one time or another, engage in most of the activities in connection with which most legal services are rendered. Those who are aware of their legal problems take them to bankers, real estate agents, tax collectors, notaries public, accountants, and others besides lawyers. Of course, many of them are poor and cannot afford the cost of legal services, but many millions are in the middle and low income group and could afford to spend amounts which would add up to staggering totals and could greatly alter the economic status of the profession.

2. *Fear and Suspicion of Lawyers.* I have dealt with this phase largely in my previous remarks.

3. *Unfavorable Portrayal of Lawyers.* Most of the people who hold lawyers in such low esteem never have had any dealings with them, and their opinions are based on nothing more substantial than a mere habit of thought. This habit of thought is constantly fed by a longstanding custom of portraying lawyers as scoundrels and crooks in motion pictures, radio dramas, comics, books and magazine stories. The author of the drama of the crooked lawyer would affirm, and most of his spectators would agree, that it was just fiction and understood as such, but nevertheless, it is the only picture of the legal profession in action that many people ever get, and it cannot help but have an influence, either conscious or subconscious, on their attitude toward the profession. There are, of course, some favorable portrayals of lawyers in those media, but on the other hand, the Bar gets rougher treatment in this respect than any other professional group.

4. *Distribution of Lawyers.* The price for which a lawyer sells his services is subject to economic laws, and among other things it is affected by the density of the lawyer population, or the number of potential clients per lawyer. Geographical distribution of lawyers in relation to the demand for legal services is a problem reaching to the heart of our relations with the public, and deviations in either direction from the optimum cannot fail to affect both these relations and the lawyer's earnings.

5. *Inefficiency in the Administration of Justice.* "The Law's delays" has always been a matter of public concern and has been dealt with by poet and author since time immemorial, and it epitomizes all that is involved by waste and inefficiency in carrying on twentieth century judicial business with methods and machinery not much changed from those of the seventeenth century, for which waste and inefficiency the lawyer is most probably responsible. The eyes of lawyers turn often backwards in search of precedents, and none knows better than the lawyer how rich is our heritage from the past, but in every other field of human endeavor the pace of progress maintains a constantly accelerating tempo, and the administration of justice has not kept up.

So, this morning, I would like to leave a few thoughts about this problem with which we are so greatly concerned, and in bringing to your attention the problem, to try to give you something of what is being done throughout the United States through the medium of the American Bar Association and other agencies and to give you my own thought as to the consequences if we fail to meet this challenge.

Because we have in our own law drawn so heavily upon English law, it is well that we consider for a moment whether or not England has been faced with a somewhat similar problem. All of us know that today the medical profession stands in dire danger of becoming completely socialized, and if and when this occurs, the eyes of the lawmakers will most probably be shifted in our direction.

In England the medical profession failed and refused to heed the warning signs as they appeared on the political horizon and were so ill prepared to meet the crisis that they were completely engulfed, and what is happening in England to the medical profession is a matter of common

knowledge to all of us, but we do not find anything in the papers about any attempt to socialize the lawyers in England. I think the reason for this is that English lawyers, sensing the constantly shifting trend of public opinion, evolved a plan of their own to meet this crisis and through the Lord Chancellor, the highest judicial officer in England, presented the Lawyers Plan, which is somewhat kin to our Legal Aid and Legal Reference Plan in this country, which Parliament adopted and which saved the legal profession in England from the cataclysm that the doctors failed to avert. So, it behooves us today, whether we will it or not, to give this matter more careful thought and to meet the change of times with a Public Relations Program that will bring about a greater and more complete understanding between the public generally and the lawyer and to promote the confidence that our chosen profession so richly deserves.

Because leaders of the Bench and Bar throughout the United States recognize the imminence of this peril, there are several things that are being done and are proposed. Whether you will agree with all of them or not is a matter for your own personal determination, but out of the welter of conflicting opinions, I believe that much good is now being done and will continue to be done, and I believe that the Bar as a whole will rise to meet this crisis. To me the most vital phase is an education of the public generally in what the legal profession stands for and how it may be of use to individuals in their own lives and businesses. When intelligent public information is disseminated through the written word, public forum and radio, much of the latent fear of the individual will be dissipated, and in its place will arise the confidence and belief in the integrity of the Bench and Bar as a whole. This concept is very new to lawyers, and it has been met with a great deal of opposition. A great number fear that it is a departure from the time honored tradition and a violation of the Canons of Ethics in that such practices are tantamount to advertising.

While I personally would deplore as much as any lawyer such media for the advertising of any individual lawyer, I do not agree with those who feel that it is wrong or improper to give clear information to the public so that they may understand the proper function of the Bench and Bar as a whole. I wish to discuss briefly some of the answers to our problem which are being worked out in various states.

It should be the aim of every Bar that any citizen, rich or poor, shall be able within his means to have his case properly and ably presented in a court of justice, and in his own private business affairs should have sane, competent and sound legal advice. They are entitled to and should have equality before the law, and it is the duty of the lawyer to blaze this way.

One answer is "Legal Aid". The next question is: What is meant by Legal Aid? Legal Aid consists of giving legal advice without cost or for a nominal fee, and, if necessary, representation and negotiation and litigation to persons who cannot pay a lawyer for his services. This means furnishing lawyers in cases where lawyers are necessary if justice is to be done and where no other agency, such as the State or Court, does it. The Legal Aid organization may be a corporation, a voluntary association or a department of a larger public or private organization, but there is implied something more than individual effort. The great bulk of legal aid work falls into two classes: First, small money claims for wages and disputes between the client and a lender, installment seller or landlord;

and second, domestic relations matters in which advice is needed as to the rights and duties between husband and wife and parent and child.

It is quite true that this is a matter of deeper concern in large metropolitan areas, but I can see no reason why it should not function on a modified scale in a somewhat rural state, such as Mississippi. "Equality before the law is the very core of American democracy. If this core is to remain sound, it is vital that justice apply to every man, regardless of his color or creed, regardless of whether or not he can pay the necessary costs.

"In a large city, an organized Legal Aid Office is practically the only way this equality can be attained. Private lawyers can and always will give generously of their time and talent, but they cannot be expected to carry the full load of what is really a community problem; even if they attempt it, certain destitute people simply will not go to a private law office to ask for free service.

"The very existence of legal aid is a protection against the kind of situation in which subversive ideas can flourish, and therefore strengthens democracy at one of its vital spots."

I will not go into the mechanics of the operation of such an organization, but I think a committee from the Bar of this state should be appointed to study this and the "Lawyers Reference Plan", which I shall discuss presently, in connection with the feasibility and practicability of a public relations program for our State Bar.

Another answer has been the "Lawyers Reference Plan" which, I am advised, is being projected in at least one city in Mississippi. The Lawyers Reference Plan, while co-ordinated with the Legal Aid Plan, goes considerably further.

A rather extensive survey has been undertaken through the sponsorship of the American Bar Association, and a manual has been prepared which reviews the experiences in other cities and gives concrete examples of the workability of the plan. The Lawyers Reference Plan is a method by which that exceedingly large group of the public of very modest and moderate means, needing legal advice and assistance, are directly and properly brought into contact with lawyers who are willing and able to perform the needed professional services. While considerable thought and study will be necessary to devise such a plan that will be workable in our own State, I believe a great deal can be done in this regard, particularly in our larger cities. A combination of fear and ignorance has kept people away from the lawyers. Those who were possessed of greater courage or else were driven by desperation, in trying to find out about a lawyer could get no help even from their own local bar association. If a person asked the secretary of a bar association for the name of a trustworthy lawyer, he was forbidden to do more than to hand the applicant a telephone directory listing in the classified section all the lawyers in the town or city. There are, of course, many and complex problems that have to be worked out, but in the cities where it has worked most effectively, the method has been rather simple and yet effective. There is only one imperative rule that must be followed; the plan must be conducted by or under the auspices of a bar association which must vouch for the plan, be responsible for its integrity and must make it known to the public. All the other matters are merely the application of common sense.

In the cities where such plans have been set up, the plan operates something like this: There is a central office or clearing house where the prospective client may come with his problems. In this office, there is a file of lawyers who are willing to co-operate with this type of plan and who have been selected and screened as being able and honorable attorneys, and there is indicated on the lawyer's card the particular type of practice he is interested in or whether he is in general practice, as most of us would be. After the applicant has submitted his problem to the representative of the bar association in charge of the office, the applicant is then asked if he is willing to pay a $3.00 fee for one-half hour of consultation, or $5.00 for a full hour of consultation, with the understanding that if further services are necessary, they will be arranged upon an agreement mutually satisfactory, and that if a disagreement arises between attorney and client as to the proper amount of the fee, the entire matter, with both variations, will be submitted to a committee, and their final decision as to the proper fee will be binding on both parties. This plan is devised to help clients find lawyers and to help lawyers find clients, and it perhaps might be better understood to the public if its name were "We'll get you a good lawyer who won't rob you" service.

In the places where this plan has been put into effect and proper publicity given to the public through the medium of the press and the radio, particularly public forum discussions, it has met with most satisfactory success. This is particularly workable for young lawyers who have enough experience and ability to handle a client's case but who have not been practicing for a sufficient length of time to be known generally by the public. It has been found that, in many cases, the relationship thus established has resulted in mutually pleasant and profitable business over a period of years. It helped solve the problem of the "lawyerless client" and the "clientless lawyer."

Another answer which is being used by a number of state bar associations is an active Public Relations Program by which the public is acquainted with the functions of the Bench and Bar in such a way that the public can understand better the way the courts operate and just why there is personal need for a lawyer. These programs, of necessity, have been and must be based upon clear factual information, and, of course, any tinge of solicitation is to be abhorred and condemned.

The Minnesota State Bar Association is trying to meet this problem in a very unique and, I believe, effective way. They have distributed nearly 300,000 pamphlets or leaflets on the following subjects:

"Do You Need A Will?" This pamphlet explains just what a will is, answers a large number of questions which usually puzzle the prospective client, and disabuses the prospective client's mind of such misconceptions as "Must a person leave his children at least $1.00 each?"

"Joint Tenancy, Boom or Boomerang?" This pamphlet has ranked with the Wills pamphlet in that State as a stimulus to the public to consult lawyers on an important legal problem.

"Real Estate Title Examination." This pamphlet has proved helpful because of its vital information for all persons thinking of buying real estate.

"It May Be Your Turn Next." This pamphlet, which tells what to do in case of an automobile accident, seems likely to be one of the most

useful and popular that they have written. The first printing on this pamphlet ran to 25,000 and now there has been a request for 400,000 additional copies for automobile owners and drivers in that state.

"Meet Your Lawyer." Here is a pamphlet designed to clear up some of the misunderstanding regarding the relationship between the lawyer and his client. It contains a message well worth the while of lay readers.

"It's the Law." This particular subject has been spread through the medium of the newspapers and has served the purpose of advising the public generally upon the law with reference to everyday subjects.

Another pamphlet which is in the process of publication is a Jurors' Manual which they intend to have distributed to all jurors in their state.

Still another pamphlet explains to the laymen why unauthorized practice is dangerous for the public. I know that here on the Gulf Coast where I live, a number of years ago there was a certain Justice of the Peace who undertook, for a nominal consideration or for no consideration at all, but as an accommodation, to draw deeds for individuals, and a goodly percentage of the lawyers on the Mississippi Coast have, from time to time since, made good fees as a result of this one man's mistakes in drawing instruments.

Another phase of Minnesota's program has been its Newspaper-Radio Advertising Publicity Program. As a part of the program, there has been an individual effort to come to a better understanding with newspaper and radio editors and writers and commentators, and the proof of the value of this work is shown in the constantly improving attitude of newsmen toward that Bar Association's constructive activities. It is not expected that the newsmen should ignore all news displeasing to lawyers, but they are giving more and more attention to positive and constructive news, and they are getting better co-operation in many places on fair treatment of the Bar in all stories affecting the legal profession.

Many other State Associations have undertaken somewhat similar programs, and I have only mentioned Minnesota as an example of precisely what is being done.

Another answer to our problem and in relation to our Public Relations Program, and one which we are trying to do something about in Mississippi, is to defend our American system of individual liberty by trying to make the public conscious of the rights and responsibilities of American citizens. One of the most effective fields in which this can be brought home is by having members of the Bar address school children throughout the State upon vital and fundamental concepts. As strange as it may seem, so far as my own research goes, I have been unable to find any concrete statement made by the American Bar Association setting out in definite terms its views as to what are the rights and responsibilities of an American citizen, and I am very hopeful that in the near future that Association will commit itself in very definite terms on this proposition.

In connection with this program, another thing that the Bar can do and which I believe would be received with hearty co-operation by the judges of our Federal Courts would be to have simple but impressive ceremonies in naturalization cases to aid the courts in impressing upon the

new citizen his rights and his responsibilities and thus make better citizens of them. While our own courts have not been approached upon this proposition, I feel that, within its proper sphere, they would welcome and co-operate with such a desire on our part.

Another answer to our problem has been in improving judicial administration by setting minimum standards therefor and working toward them in connection with the general thought of procedural reform. One of the finest books covering this vast field has just recently been published, its title being, "Minimum Standards of Judicial Administration," and which has been edited by Arthur T. Vanderbilt, Chief Justice of the New Jersey Supreme Court, and an outstanding jurist and statesman, and I was happy to note in this work that Mississippi stands high among the states in meeting these standards.

Recently in Chicago, just prior to the annual meeting of the House of Delegates of the American Bar Association, under the leadership and guidance of the present President, Hon. Harold Gallagher, an association of the bar presidents of all the state bar associations was formed, with the main purpose in mind of exchanging ideas each year about the problems confronting each state and to attempt to put forth a unified front in dealing with the problems confronting our profession today. There has also been launched a Co-ordinating Committee of the American Bar Association, and each state has been asked to appoint a committee within its own state for the purpose of co-ordinating the functions of its various committees with those of the American Bar vertically.

All of these things are comparatively new to us, and by trial and error, we will add to or discard them as they deal with our own problems within our own State and within our own Bar, but they do represent a most gratifying approach to a serious problem, and I believe point a way toward ultimate solution, both within the State and upon a national scale. I believe now, more than at any other time in the history of our jurisprudence, the Bar as a whole is at a turning point, and it will be for us, more than any others, to determine whether we shall meet that challenge or shall fail.

The Chairman next presented Judge Malcolm Montgomery of Jackson who introduced Mr. Cody Fowler, President-Elect of the American Bar Association. Mr. Fowler gave the following address:

RESPONSIBILITIES OF BAR ASSOCIATIONS

Cody Fowler

Judge Montgomery, Mr. Thompson, Distinguished Guests:

I was glad to hear your President, Mr. Thompson, speak to you as he did on the problems of the profession, what should be done about them, and the need of the Bar for good public relations. I was especially interested in his reference to legal aid and lawyer reference plans, and I agree with everything he said. The English have had a legal aid problem for some years. It resulted in the English plan for legal assistance to destitute and low income citizens being enacted into law. I am against such a plan in this country for several reasons. One reason is because the plan pro-

vided the money for legal services rendered by lawyers should be paid by the central government. Another reason is that it provided that a committee appointed by the government would select those entitled to this aid, although the plan was to be executed by the law societies. What a beautiful political football such a plan could turn out to be! Further, if the Federal government paid the money that ultimately went to the lawyers for services, experience teaches that it would not be long until they would be dictating the services rendered. The next step would be the creation of a group of political offics to be held by lawyers appointed by the government to do this work. But even in England under the labor government the execution of this plan proved to be too expensive and it is now abandoned, or at least entirely dormant.

In this country we have lots of money and apparently nobody minds spending government money! They think it is free. At a recent meeting of the Lawyers' Guild a resolution was adopted recommending that the Federal government furnish the same general type of legal service to indigent and low income citizens of the United States as was planned for England and, of course, this was to be paid for by the government. Please do not take lightly this recommendation. It is right in accord with the other plans the government has had to spend government money for the benefit of certain groups of individuals and it might, to some, hold out prospects of being a means of securing more votes.

I hope that the lawyers in this country are able and willing, and they should be, to handle this problem through the Bar Association, but if there is going to be any public money paid, directly or indirectly, the plan should be under the entire control of the local bar associations, and no money should come from the Federal government. It is much less dangerous if the money comes from a state or municipality, but let's try to handle everything ourselves. The interference of any government in any plan of this kind is certainly setting a dangerous precedent.

We in the United States believe that all people are entitled to justice, and since it has been found in order for them to receive this justice that we need Legal Aid Societies and Referral Plans, let's do our part to get it for them. Whether or not such plans are a success depends upon the feeling of responsibility of the lawyers in the local associations.

This attempt by the Lawyers' Guild to start a movement to once more get something for nothing from the government emphasizes a tendency in this country that I think should be particularly recognized and evaluated today. It is dangerous and should not be ignored.

Many of our people and many of our leaders seem enthusiastic in feeling that the government should be looked to to meet all needs and furnishing economic protection and security, apparently without limit, and certainly without considering the cost. We must realize that if the government gives more, it takes more, and if the people receive more gratuities from the government the government gathers unto itself more power. Human nature being what it is, however, if a community or an individual think they can get something from the government this idea is too often sponsored without thought being given as to its cost in liberties. This plan of the government solving all problems for local communities and individuals is getting far away from the basic idea of our founding fathers that the least government was the best government.

I believe with Mr. Henry W. Grady, distinguished Southerner and editor of the *Atlanta Constitution,* who contributed so largely to reconciliation of the North and South after the War between the States, when he said,

> "Exalt the citizens. As the State is the unit of government, he is the unit of the State. Teach him that his home is his castle, and his sovereignty rests beneath his hat. Make him self-respecting, self-reliant and responsible. Let him lean on the State for nothing that his own arm can do, and on the government for nothing that his state can do. Let him cultivate independence to the point of sacrifice, and learn that humble things with unbartered liberty are better than splendors bought with its price."

This is in keeping with the views of our founding fathers. They had seen the tyranny of which an unrestricted government was capable. By experience they had developed a true appreciation of human rights and knew their value. They knew that the word "liberty" was meaningless where the citizen existed for the State, rather than the State for the citizen. They knew the lot of the human being in the European dictatorships. Consequently, it was natural, but no less marvelous, that they should conceive the type of government they did, a government with a new approach and a new outlook that brought new promises to the world.

In forming the Government of the United States of America the colonial leaders were endowed with the inspiration that in this new land a nation would be established that recognized for the first time the rights of the individual against the State, where the liberty of the citizen was paramount and his rights protected. Their problem then was to create a government which would be strong enough to protect these rights yet not so powerful as to menace them.

Their problem was to organize a government which would be a servant and not a master. They wanted a central government that would be operated for the benefit of the states. They did not want the states to be run for the benefit of the government. And so they created a government of checks and balances with the rights of the individuals and the rights of the states protected from known dangers. The powers of the central government were to be limited to those granted and additional restrictions were imposed, designed to guarantee that the government would not exceed the powers granted.

With all of its safeguards against concentration of power, the Constitution was still objectionable to many of the states. Hence, in many of the states, the Constitution was adopted by only a bare majority. For example, in New York 30 to 28, in Rhode Island 34 to 32, and only in three states was it unanimous. Even after the Constitution was adopted the states demanded the protective amendments known as the Bill of Rights.

To appreciate this attitude it is necessary to remember that when the Constitution was written and adopted, the United States of America had been in exisence some thirteen years—not truly as the United States of America, but as thirteen states in America. No one was considered a citizen of one of the United States but only of a state. An example of this

is that shortly after the end of the Revolutionary ar, a war was almost declared by the State of Connecticut on the State of Pennsylvania because some of the citizens of Connecticut had settled in Pennsylvania and had been ousted by the Pennsylvania militia.

Each state considered itself a complete sovereign. The Revolution was not fought by a nation, it was fought by thirteen separate colonies or states. Therefore, you will appreciate that the men representing such states would be slow to grant any more than the minimum power to the Federal government and only such power which they felt could be handeled by the Federal government for the benefit of all states rather than the states acting separately. They were as interested in restricting powers as in granting them.

It is clear from the Constitution that there was utter lack of concern in that document for the economic and social well being and security of individuals. It is as though our ancestors had told us in so many words, "If we are protected from the excesses of government and our liberties are made secure, we can find our own economic and social welfare and happiness." That would be their attitude. These men were hardy pioneers and were accustomed to rely upon their own resources for their economic and physical well being.

We have now had some one hundred and seventy years to ascertain whether or not our form of constitutional government can work. In its beginning, our government was clearly an experiment for which failure was predicted by many of the world's statesmen. But what has been the result of this glorious experiment? Out of the foresight of our founding fathers has grown the greatest nation of the earth—a nation of free and happy people who enjoy the highest living standards ever dreamed of by man—a land of opportunity in which a pauper or an immigrant may, and thousands have, become prosperous and leaders in their communities, where men from modest and humble homes can, and many have, become President and held other of our high offices.

Can anyone believe that the Constitution would have been written or approved if the grant of power to Congress "to regulate commerce with foreign nations and among the several States and with the Indian tribes" contained in the Constitution would now be interpreted to mean that a corporation in a town, whose only business was washing windows in local buildings, would be construed to be in interstate commerce and, therefore, subject to be controlled by the laws of the United States because a tenant in building whose windows it washed happened to do some interstate business? Or a local baker would be held to be in interstate commerce because it bought flour made in another state? And yet that is the law because the Supreme Court of the United States says so.

A government to be successful must follow the thinkings and be in accordance with the morals of the people it governs. Because our form of government is successful here with our people is not evidence that it would be successful in foreign countries with different people with different ideologies. I was impressed with this fact by an experience I had. I sent a package through the American Bar Association to a German lawyer. I think he was a prosecuting attorney. He wrote and thanked me kindly and we carried on some correspondence. I was impressed by one statement he made which was to the effect that the people of our country

should realize that peoples in other countries might prefer a form of government different from ours—that we of the United States should not take it for granted that the people of Germany wanted a constitutional republic. Perhaps that is true. And certainly it is undeniable that to be truly successful, a government must be congenial with the governed.

Do our people want a government as planned by our forefathers, a government which protects the rights of the individual, but leaves to the individual the responsibility to produce his own economic and social well being? Or have the thinking and characteristics of our people changed? Does the apparent trend of "Let's get something for nothing, let the Government pay," reflect the attitude of the American majority? Do our people want a paternalistic government? Do they wish to release their independence, free enterprise and some of their cherished liberties in return for a small amount of economic security? Have pride of accomplishment, self-reliance and satisfaction of work well done ceased to be attributes of our people? Is the man who works entitled to no more than the sluggard, the loafer and the wastrel? I, for one, do not think so. Our people, as is to be expected of a democracy, are slow of action, too slow, sometimes, to make a national decision, but there are hopeful signs on the horizon. More and more people are asking questions and wondering why. Some are beginning to see that the road we have been following of recent years does not really lead to Utopia. Some see that a day of reckoning is inevitable.

I agree with a candidate for President in 1932, Franklin D. Roosevelt, who said, in reference to Federal spending, "Any government like any family can for a year spend a little more than it earns, but you and I know that a continuance of that habit means the poorhouse." But the government does not seem to know that. In 1932 the government spent four billion, five hundred million dollars. In 1950 it will spend ten times that much. These figures are beyond me. Recently in a Congressional speech it was stated that if every farmer in the United States sold his farm and his farm equipment and his livestock the total would be around twenty-five billion, which would not run the government seven months. This is in the face of a national debt of 250 billion. And each fiscal year we are spending billions of dollars more than we receive and there and there is no evidence when we will balance the budget. How long can this deficit spending continue and what will the result be?

Why is all of this of interest to lawyers? For one reason because we are citizens, and for another reason because this is a nation established by lawyers, who have been active in every part of the Federal and state governments since our nation was founded. If ever a nation was the creation of a profession, the United States of America is the creation of the lawyers.

We owe to our people the obligation of leadership. They are entitled to the thinking of the lawyers. In the past twenty years and longer we as a profession have failed to furnish the leadership of which we are capable and which is so sorely needed by our people.

The public may be reluctant to heed this warning of an individual lawyer. It may think his opinion is influenced by the personal interest of a client. But, when the lawyer speaks through the united voice of a bar association that is truly representative of the lawyers the people take heed.

I have no doubt that if the Bar Association of the State of Mississippi is aggressive for or against any action or program of the executive or legislative branch of your State that your recommendation will be followed.

It is my belief that anything that tends to injure or destroy our form of government, or the American way of life, regardless of its source, is a matter of interest to every bar association in the country and that on such matters the lawyers, through their associations, should take a definite stand and that their opinion should be made known to the people. If the American lawyer doesn't defend the American government and the American way of life, who can be expected to do it?

This is the day of organization and united effort. You see it on every side of you. That is why aggressive organized minorities have been able to obtain so much, and oft-times at the expense of the unorganized majorities. It is evident to me, from my experience, that the lawyers are beginning to realize this fact and that interest in bar associations is definitely on the increase. There seems to be an encouraging awakening in the profession and a great realization of our responsibilities and opportunities. I am glad to have the privilege of expressing to you the feeling of the American Bar Association because sometimes, and understandably so, it and its ambitions are misunderstood. After all, we are all lawyers. It is amazing how the thinking of the lawyers throughout the country, from Arizona to Indiana and Texas to Connecticut, is in the great part in complete harmony on matters of government, the Constitution and what we refer to as the American way of life. The State Bar of Mississippi can do little in Tupelo, but the Bar Association of Tupelo, if it represents, as I am sure it does, the majority of the lawyers there, can accomplish almost any constructive program, but in the program it can be helped by the Bar Association of the State of Mississippi. The Bar Association of the State of Mississippi is strong only by the strength it derives from the lawyers and associations from the various parts of this State. And so the State association reflects the thinking of the local bar associations, except upon a state level.

On matters of national importance and of a national scope the Bar Association of the State of Mississippi alone can do little, but united with the other state associations throughout the country it is a potent and constructive force. The American Bar Association is the organization of the state associations on a national level. Its members come from your State and other states. In the great majority of instances its officers and active members have been officers and active members in the local associations and in the state associations throughout the country. It has a definite function to perform in a field not covered by the state associations. In the fields covered by the state associations the work of the American Bar Association is different.

To coordinate, to help, to assist in furnishing material for and be available when needed by the state associations was the theory of the American Bar Association when it was reorganized in 1936 and its House of Delegates set up so that every state has a minimum of two lawyers as delegates who control the policies and activities of the American Bar Association. One of these delegates from each state is elected directly by the state association.

Now the American Bar Association has sponsored and has working with it the Conference of the Chief Justices of the States and the Conference of Bar Presidents.

In the last few years, and particularly in the last year, there has been increased activity in local and state organizations. This has been reflected in the growth and activities of the American Bar Association. Since its reorganization it has had great growth in membership and influence and a record of most constructive accomplishments. We believe it has reason to be proud of what it has done for the individual lawyer, the profession and the people of our country.

I will mention briefly a little about the American Bar Association so that you will understand that we are trying to do nationally what your leaders here are doing in the State of Mississippi. We now have a membership approaching 43,000, but it should be twice that large. We have seventeen sections for the lawyers who are interested in some particular field of law or activity. These are working sections and most popular. We have twenty-two standing committees and about sixteen special committees, which number changes from time to time.

A few of the things that we have accomplished are: one, and a very practical matter, the American Bar Association is responsible and receives credit for writing and causing the passage of the 1948 Revenue Act which put the states that are not community property states on a parity with community property states in connection with income and estate taxes; two, the American Bar Association wrote, sponsored and was instrumental in having enacted into law the Administrative Procedure Act; and three, we have written and are now sponsoring House Bill 8201, which is the Administrative Practitioner's Act. Without going into detail, these Acts are a protection and a help not only to the lawyers but to the public.

The Association and its officers fought the ratification of the Genocide Pact when it appeared it would be ratified when many pressure groups were working for it and before the people realized that many of its provisions were a direct threat to the rights of the states and our citizens.

The meeting of the 1948 House of Delegates recommended the passage or disapproval of some forty-seven bills before Congress and the 1949 meeting some thirty-eight. In many instances committees of the American Bar Association have appeared before committees of Congress and expressed the views of the Association. It is recognized that the opinion and recommendation of the American Bar Association for or against a bill carries great weight.

Working with the state associations the Committee of the Judiciary has done a great work in connection with approving or disapproving candidates for judicial appointment. It is hoped that with the record and reputation of this committee it will be able to render a still greater service in this most important field.

Another matter of interest to lawyers and to the public is the very outstanding work done by the Committee on Unauthorized Practice. This Committee has been active in several lawsuits, the decisions of which have been very helpful; for example, the Bercu Case in the State of New York

was decided squarely in support of the position of this Committee, and which litigation cost the accountants some $80,000 to lose.

The Committee decided that the best policy was to work out with the various business and professional groups the line of demarkation between the practice of law and the activities of the particular groups. With this thought in mind they evolved a plan which has proven most successful and there is in existence committees of ten in each of the following groups: American Bankers Association, National Association of Credit Men, Commercial Law League of America, representatives of collection agencies operating throughout the nation, Association of Interstate Commerce Practitioners, National Association of Real Estate Boards, American Institute of Accountants, National Association of Life Underwriters, Committee Representing Casualty Insurers and Insurance Adjusters on Problem of Lay Adjusting, National Association of Broadcasters, publishers of loose-leaf law services, publishers of law books, loose-leaf law services, etc.

There are five members of each of these committees representing the American Bar Association and five representing the other group. These ten members meet as one committee and make recommendations and handle all complaints between lawyers and the group in question.

Incidentally, the American Bar Association Committee on Unauthorized Practice is anxious to help any state committee that wishes to call upon it and to render its opinion and give its support to such committee, and also to handle complaints of any individual lawyer against the unlawful practice of a member of any group. If you will contact that committee through your own state committee, I assure you that you will have their active and aggressive help. These cooperating committees created through the Unauthorized Practice Committee have been responsible for bringing great good will for the lawyer and have been very helpful in public relations. As a small evidence of this, many banks are now carrying advertisements of one type or another recommending to their customers that they use their lawyer in connection with their estate.

An example of this is a bank in Winston-Salem, North Carolina, which has printed on its envelopes "Have a lawyer draw your will;" a bank in Fort Worth, Texas has "Today for protection have your attorney draw your Will;" and a bank in Dallas, Texas has "Consult your lawyer about your will and a living trust."

I want to pause here to point out that the work of this committee is helpful to the public. If a person needs a lawyer he needs a lawyer and not a substitute, and that person doesn't want a lawyer who is paid by someone else and who feels an obligation to the man who pays him the money to recommend the creation of a trust in which the bank, the lawyer's employer, will be trustee, or to recommend the taking out of more insurance in estate planning because an insurance company is paying the lawyer his fee. We lawyers know that a client wants a lawyer who is his lawyer and who represents the client and the client alone.

One more mention of the accomplishments of the American Bar Association of which we are proud is what we have done through our various committees and sections in working with the Judiciary and Congress in improving the administration of justice in the Federal courts,

which, of course, includes the new rules of procedure and the reorganization of the business of the courts. It is our earnest desire and one of our programs in the coming year to assist, if we can, the state bar associations in improving the administration of justice in the state courts. We feel that there is no higher duty that we can perform than to assist in obtaining for the people every improvement possible in this important field so vital to the welfare of our country.

To give us as a profession the power that we need to best serve our profession and the public good, we as lawyers should see that our organizations do represent the best thinking of the majority of the lawyers in their respective territories. Our organizations and we as individual lawyers should be aggressive in our fight for the protecting and maintaining of the principles for which we stand.

In the Declaration of Independence and in the Constitution of the United States it is emphasized not only that it was the determination of the colonies to obtain liberties for themselves, but it was their resolution that these liberties and the blessings which they believed would follow for the American people should be preserved and handed on to their posterity. We of our generation have had the benefits of the blessings which we did not earn, but which were given to us through the sacrifices of our forefathers. If these blessings are lost it will be because of the lack of interest of our people in protecting them. If our people fail to have that interest which is requisite to the protection of our Constitutional rights and the American way of life, it is largely chargeable to the failure of the lawyers to exercise that leadership of which we as a profession are capable. If that happens it will not be because we do not believe in those things which our ancestors held dear. It is simply because we will be so busily engaged in our own affairs that we don't take time to be aggressive in protecting our fundamental institutions which make our profession and our happiness possible.

The lawyers of today have as great a responsibility upon them as the lawyers of any preceding generation. We as a profession are capable and qualified. Let us realize the true situation and the real need for our constructive activity to protect our Constitutional rights and our very basic Americanism from Communism from without and from within and from well-wishing, impracticable theorists, who gradually would change our form of government from a central government created to serve the states to a central government that demands the power to see all, do all and furnish all, but recognizing in the states only the right to do it homage.

Gentlemen, the power of the central government is increasing. Inroads in our states rights have already caused many of us alarm. We lawyers are at long last realizing the situation. It is my opinion that the public is beginning to do so. There is evidence of stiffening resistance in the trend toward a welfare state. It is an opportune time for our profession to express itself. We face an opportunity and an obligation. Let us measure up today to our heritage. We did not fail our people in the past, let us not fail them now.

The meeting recessed for the morning.

THURSDAY, JUNE 22, 3:00 P.M.

President Thompson called the assembly to order and presented Mr. E. L. Brunini of Vicksburg. Mr. Brunini introduced Mr. Wallace Hawkins, General Counsel of the Magnolia Petroleum Company, who delivered the following address:

"DURING GOOD BEHAVIOR"—THE NATIONAL JUDICIARY

Wallace Hawkins

Impeachment is a constitutional and judicial procedure specially designed by the founding fathers to remedy many of our present-day governmental complaints. We must resurrect, reactivate, streamline, and make it a powerful and effective institution of our national government. It is not a bungling, impractical scarecrow if used for the purposes for which it was intended. The removal from power and office of national officers, unfaithful to the nation and guilty of political offenses against its institution, is the sole and only relief which the high court of impeachment can grant. The impeachment process was carefully implanted in the constitution with the purpose and intent of having at hand a practical and workable remedy for the protection and defense of our government and constitutional institutions against those who exercise a public trust. It was designed as a means of inquiring into the acts and conduct of our national officials. Moreover, the highest court known to us was established with jurisdiction to adjudicate the guilt or innocence at a public trial of national officials accused of offenses against the nation described as high crimes and misdemeanors. These political offenses against our constitutional system and governmental institutions are made justifiable at the will of the people's elected representatives.

If we are to improve the administration of justice, and indeed if we are to defend and maintain our form of government, we must activate our national grand jury and require it to perform those duties assigned to it by the constitution. Our national prosecutor—the House of Representatives—must assume and perform its constitutional duties. The high court of impeachment must convene and, at regular sessions and in the manner and according to the habits and customs of a judicial tribunal, dispose of the cases which may be presented.[1]

I

High Crimes and Misdemeanors of Executive Officers

My remarks are principally concerned with the impeachment of Federal judges who, unlike officers of the executive branch of the government, hold their offices "during good behavior." It must be observed, however, that our people as well as national statesmen are involved and concerned at this time with executive officers who hold office only "during the pleasure of the President," or the appointing power.

During the last fifteen years, our people have witnessed the flowering of so-called administrators—executive officers who hold office at the

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[1]U.S. Const. Art. I, §§ 2, 3; Art. II, § 4; Art. *III*, §§ 1, 2.

pleasure of the executive and who at one and the same time are legislator, prosecutor, judge, jury, and sheriff. Indeed the life of our people is ordered now by a vast horde of officers who are appointed by the President and the executive branch of our government. The behavior of such officials is a matter of the greatest concern. It is inevitable, even in the natural course of events, that among such a large mass of rulers, thrice removed from responsibility to the electorate, men unworthy of the political privilege of holding office will creep in. The number of the unfaithful will necessarily increase in proportion to the number of such officers. Sheer weight of numbers weakens the effectiveness of the ordinary removal power.

At the moment our people are innocent bystanders to a heated and violent investigation and hearing relating to the alleged Communistic attachments and activities of a few executive officers. This class of unfaithful office-holder is not, of course, among the common run. A Communist office-holder is not an accident. He acquires his office by stealth and infiltrates according to a plan formulated by enemies of our American institutions.

Our concern for the defense of the nation against avowed political enemies is illustrated by the general positive law which makes the advocacy of the overthrow of our government by force or violence an indictable offense.[2] The danger to our government resulting from the conduct of privates in the fifth column alone, excluding the top brass who may also influence government power, has been sufficiently clear and present to support recent mass convictions.

We may be sure that the general law against Communistic activity applies to officers in the executive branch of our government. Lawyers concede that the law applies with peculiar force to the legal profession.[3]

In addition to the general criminal code, our people have also the protection arising from the power and duty of the chief executive to remove such officers without indictments, trial, or conviction in our courts. No one has any complaint of the intramural activities of the executive department itself and its loyalty boards designed to remove from office the unfaithful executive officers.

The founding fathers, however, did not entrust the safety and defense of our government and its institutions to mere indictment and conviction under general law and executive removal from office. In addition to these remedies, the constitution provided a special legislative process called impeachment. The doctrine of separation of powers, by which each of the three great branches of the government—the legislative, executive, and judicial—is made independent of the control of the others, was sacrificed in the creation of the impeachment procedure. Impeachment cuts across judicial and executive powers and reserves to the Congress, closest to the people, the special power and jurisdiction to remove officials of the other departments of the government for specified acts and conduct. The power of the Congress to remove from office executive officials is a

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[2]18 U.S.C. § 2385 (1946); 63 HARV. L. REV. 1167 (1910).

[3]Resolution of the American Bar Association, Sept. 8 & 9, 1948, 34 A.B.A.J. 899 (1948).

remedy over and above, and in addition to, the power and duty of the President and executive appointing officers. To be sure, this extra power and jurisdiction of the Congress to remove is limited to high crimes and misdemeanors.

The charges being currently made against executive officials are of the very kind and character included by the founding fathers in the express and positive jurisdiction of the high court of impeachment. If the facts supporting even a small part of the charges exist against executive officers which appear in our newspapers, the docket of our high court of impeachment ought to be crowded. Our daily newspapers should by now be full of the details of the trial and testimony in the case of the United States against Communistic office-holders. Lawyers may be sure that the impeachment process is adequate and can well accommodate itself to mass trials. In such a supposed judicial proceeding with potential jurisdiction now resting in the United States Senate, most any lawyer in America would be compelled to observe that at least a few members of the court have already disqualified themselves as impeachment judges.

II

Misbehavior of Federal Judges

The removal by impeachment of Federal judges for high crimes and misdemeanors is familiar to all. Should the Congress empower the judicial branch of the government, by special tribunals, to remove judges for misbehavior? It does seem that other methods for the removal of judges for misbehavior should exist. Certainly other methods existed in England for the removal of judges at the time our constitution was written. Is impeachment the only possible remedy to remove from office a judge who is guilty of misbehavior? Did the framers of our constitution intend that the special legislative method of removal by impeachment, restricted and limited as it is to high crimes and misdemeanors, should be the sole and exclusive method for deposing a Federal judge? Can it be soundly maintained that "treason, bribery, and other high crimes and misdemeanors" constitute a complete and exclusive recital of the causes for the removal of a federal judge? If congressional impeachment by trial in the nature of a criminal proceeding is the only method, and if high crimes and misdemeanors are the sole causes for the removal of a Federal judge, I would then ask what you will do with another, separate, and different mandate of the constitution which declares that a judge may exercise judicial power only "during good behavior." The judicial commission of a judge says that it is good and endures only "as long as he shall behave himself well." This tenure is expressed in the very language of the statute fixing the tenure of English judges. Nevertheless the English courts were open and continued to remain so for the removal of a judge whose misbehavior constituted a forfeiture of his office.

Undoubtedly the constitution makers intended that judges should hold office during good behavior, and, in addition to removal by impeachment, they contemplated that our courts could remove judges whose conduct amounted to misbehavior. The platitude of our generation, however, is that a federal judge holds office for life and can be removed only by impeachment. It seems fairly clear that this impression is a historical inheritance derived from the battle cry of those who resisted the attempted

subjugation of our national Supreme Court by President Jefferson and his political party.

Certainly the framers of our constitution did not intend that a judge guilty of misbehavior, misconduct in office, neglect of duty, corruption, or personal criminal conduct, should not forfeit his office. Misbehavior, by reason of conduct and acts not amounting to high crimes and misdemeanors, marks the end of a judge's tenure of office. If the constitutional tenure of office is to be enforced and maintained, there must be some method or process to determine and adjudicate a judge's forfeiture of his tenure. We all know that in the United States there has been no such machinery or procedure for the removal of judges who have forfeited their offices because of misbehavior. Since the President making the appointment has no power to remove and the judiciary has not been empowered to declare a forfeiture and remove a Federal judge, the sole available remedy at this time is congressional impeachment for misbehavior of such general magnitude as may constitute high crimes and misdemeanors.

Those who have come in our day to advocate the removal of Federal judges by court action[4] have advanced urgent, convincing, and plausible arguments. They insist that Congress authorize a judicial tribunal with specific jurisdiction to try judges accused of misconduct in office and to enter judgments suspending and removing judges found guilty of specified misbehavior. It is pointed out that impeachment, the heavy artillery of the Congress, is too ponderous, too slow, too expensive, bunglesome, and inexact. Certainly impeachment is not designed to remove judges who are merely unfit, disabled, or who are guilty of conduct and acts not amounting to high crimes and misdemeanors.[5] It is affirmatively argued that removal by the bench of its own unfit and unfaithful members would neither endanger nor destroy judicial independence, but rather it would fortify and defend this great citadel of our freedom. Removal of misbehaving judges by judicial action is particularly adapted to personal and official misconduct, disability, and inefficiency. In many instances, such judicial machinery and process would avoid trials calculated to bring discredit on the judicial system. Removal by judicial action would be the crowning arch in the program designed to supply business administration of the courts, now becoming popular and which our Chief Justice so forceably advocates.[6] Moreover, it would give the judicial branch of our government the same mechanism and procedure for the removal of judges as has been traditionally exercised by the executive and legislative branches of the government in respect to executive and legislative officers.

The absence of any intramural procedure or process within the judicial branch of the government for cleaning house has produced and

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[4]Shartel, *Federal Judges—Appointment, Supervision, and Removal,* 28 MICH. L. REV. 870 (1930); Pegler, *Trial of Good Behavior of Federal Judges,* 29 VA. L. REV. 876 (1943); Ross, *Good Behavior of Federal Judges,* UNIV. OF KANSAS CITY L. REV., April-June 1944; Otis, *Contra—A Proposed Tribunal—Is It Constitutional,* 7 UNIV. OF KANSAS CITY L. REV. 3 (1938); *Congressional Directory,* 81st Cong., p. 243 (1949).

[5]Wham, *Historical Explanation of Constitutional Changes,* 35 A.B.A.J. 23 (1949).

[6]Vinson, *The Business of Judicial Administration,* 35 A.B.A.J. 893 (1949); Roberts, *Now is the Time: Fortifying the Supreme Court's Independence,* 35 A.B.A.J. 1 (1949).

will continue to produce bad consequences. In the first place, there have been attempts to use the impeachment process for purposes for which it was not designed. Impeachment efforts as to a single judge have endured for as long as ten years while the business of the court suffered. One lawyer stated that an impeachment in a particular case was "like employing an elephant to remove an atom too minute for the grasp of an insect."[6] Perhaps the attempt to employ impeachment for purposes and in cases where it was not designed to be used is responsible for our present-day failure to understand its scope and purpose. To illustrate, I would point out that Congress has defined non-residence in the district and the practice of law as high crimes and misdemeanors. I submit that none of us here could agree that residence outside the district and practicing law are of themselves immoral or criminal, not to mention high crimes and misdemeanors.[7] The consequence is that most of us in despair simply class impeachment as inadequate and impractical. Then, too, there is the criticism we often hear that judges are not only independent but inviolable as a class and beyond the law. The genius of our system is that no officer, not even a judge, is above the law. It must be stated to the everlasting credit of the bench that outbursts of a people without a practical remedy have been few during our national history.

In our day Federal judges have increased in number beyond the wildest imagination. The appointing power for judges has, as we know, no power of discipline or removal. In addition, the business of the national courts and judges, once confined to national law, has now embraced the most minute affairs of the humblest citizen. The judgments of Federal courts now reach and touch the homes and affect the most personal and private affairs of 145 million people. There is an ever increasing need that our Federal judiciary keep its own house in order. We shall all regret a cry in our land of a wrong without a remedy. It does seem that for the usual cases of misconduct we should implement the judicial branch of the government itself with a practical and workable judicial mechanism and procedure for maintaining "good behavior" among the judges.

III

High Crimes and Misdemeanors of Federal Judges

Let us consider now impeachment of Federal judges. Is it an effective remedy? Is it practical? Should it be revived and made to work? No American lawyer will question on constitutional grounds the right and power of the Congress to impeach a Federal judge, including members of the Supreme Court of the United States. Impeachment by the House, acting as a grand jury, and trial by the Senate, acting as a high court of impeachment, constitute our ancient and constitutional process for the removal of a judge. A judgment of conviction by the highest court known to our government simply deprives a judge of a political privilege. It deprives him of the right to exercise judicial power. There is no other punishment, either by fine or imprisonment. The judgment is remedial and in the public interest; it is final, unappealable, and unpardonable. Impeachment is a political action and is prosecuted by the direct repre-

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[7] 2 Stat. 788 (1812), 28 U.S.C. §§ 134, 454 (1946).

sentatives of the people. The trial is by a political court and results in a political judgment imposing a political remedy to suppress political wrongdoing.

During the last 170 years, we have come a long way in understanding the scope and purpose of impeachment and how and when it should be used. We have learned that the causes of impeachment are not unlimited. Grounds or causes for justifying impeachment are not simply those deemed sufficient by a dominant political party. We have learned that the constitutional grounds for impeachment are not simply those which may be supported by a two-thirds vote of the Senate. These are the lessons which we learned the hard way in the impeachments of Judge Pickering and Associate Justice Chase.[8] You will recall that the impeachments of these two judges were test cases in President Jefferson's fight to remove John Marshall and his associates. Jefferson's Republicans impeached the Federalists on the bench. We all know that unpacking the Supreme Court by congressional impeachment without constitutional cause is as extra-legal and reprehensible as packing it by the executive. A judge is not to be deposed simply because the Congress disapproves of his judicial opinion or merely because of a legal error or mistake which is subject to judicial review. Perhaps our last lesson in the matter of what constitutes an impeachable offense is that impeachable acts and conduct need not be indictable acts and conduct under existing criminal laws. Undoubtedly high crimes and misdemeanors comprehend offenses not described by our criminal code. In truth, impeachable conduct and acts falling within the definition of high crimes and misdemeanors may be conduct which is neither immoral nor criminal. This we learned in the Judge Archbald 1912 impeachment case.[9]

Last but not least, we have learned from the attempted impeachments of Judge Peck, of Missouri, and Judge Watrous, of Texas, that impeachment is too slow and ponderous for offenses of mere misbehavior not amounting to high crimes and misdemeanors. It furnishes no adequate and effective remedy for the removal of a judge based on a catalog of petty accusations and isolated and nonrecurring behavior of either personal or official character. Mere dereliction in judicial duty, inefficiency, inability, physical and mental disability, and abdication, such as engaging in incompatible private affairs or becoming a partisan witness or defender in litigation, could better be remedied by the judicial removal process. Impeachment for such derelictions is simply too expensive and consumes too much time of a busy Congress. These cases, however, do not demonstrate or prove that impeachment is inadequate or ineffective for the purpose for which it was intended. Rather these experiences and efforts prove that in the absence of an available, appropriate remedy, the process of impeachment for high crimes and misdemeanors has been misapplied and tortured in attempts to accomplish purposes for which it was not adapted.[10]

We understand better the scope and purpose of impeachment as well as the definition of high crimes and misdemeanors when we remember

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[8]Beveridge, *The Life of John Marshall,* Vol. III, p. 157.

[9]Brown, *The Impeachment of the Federal Judiciary,* 26 HARV. L. REV. 684 (1913).

[10]Reinhardt, *Impeachment Procedure Against Judge Peck,* UNIV. OF KANSAS L. REV., April-June 1944; *Miscellaneous Document No. 136,* 35th Cong., 1st Sess.—Memorial of John C. Watrous, June 10, 1858; Wham, *Historical Explanation of Constitutional Changes, supra* note 5.

that the people reserved to their directly elected representatives the power to impeach judges. Impeachment is and was intended as an effective and practical legislative check on the executive and judicial branches of the government. It is a special legislative mechanism intended for limited purposes. The target of any impeachment is necessarily a large one, and the evil must concern the stability and welfare of our governmental institutions. It was never intended that high crimes and misdemeanors would be defined with the precision of a criminal or penal code. Mortals could not catalog for the future the misconduct which unfaithful officers would employ against our constitutional institutions. Impeachment was intended as the last line of defense of the people against treason, bribery, and similar conduct tending to endanger, destroy, or subvert the government. The case of Judge Humphries, a Federal judge of Tennessee who joined the Confederacy, is positive proof that impeachment is a proper and effective remedy against a judge who makes political war against national institutions. Impeachment, up to this time, has been an effective deterrent and preventative of *coups d'etat,* palace revolutions, dictators, and rebellion by public officials. Impeachment is an effective remedy against usurpation and usurpers of power. The impeachment process alone will save our people from dictators, if anything can. It is specially designed as a remedy in behalf of the people against public officials who would subvert or reform our government and its institutions in other and different modes than those requiring the consent of the people. It is a practical and effective remedy to maintain the stability and integrity of our form of government and political institutions.

There is abundant evidence all over our land that lawyers, without regard to party or creed, are seriously concerned about the chaos in our Supreme Court. Anxiety is focussed on the gradual erosion and almost complete abandonment of the usual tools, methods, and techniques of the judicial process. Precedent and stare decisis, technique common to Anglo-Saxons for hundreds of years, are ruthlessly abandoned. The formality of this decisional device is maintained for the benefit of the innocent by the industry of law clerks. Instead law is declared and cases are decided according to legislative technique and methods, and after the fashion of legislators. What ought to be the law seems to be the concern of some of the judges. A desired social or economic result controls. This technique, long familiar to and used by senators and representatives, is the current mechanism employed by some judges in the adjudicating process. There is little wonder, then, that we have a judge willing to change his opinion of what the law is from hour to hour or from term to term. It is no wonder that law is pronounced by the judiciary although the Congress has refused to enact such legislation. Nor is it strange that our Congress spends a large portion of its time repudiating the *pronunciamentos* of the judiciary. Only judges concerned with general policymaking as distinguished from mere interpretation of statutes choose and select cases for review on the basis of opportunity to advocate a reform or document a program.

Some of our judges are competing with Congress in legislative matters and are engaged in *ex post facto* lawmaking. Congress is admonished to delay until the court legislates. Political considerations masquerade as flexible logic, a term devised to hide intellectual egotism. There is widespread complaint that the Supreme Court is "gradually invading the legis-

lative domain." Recently an associate justice explained that the "high tide in judicial usurpation" is upon us. Senator Bricker declares judicial legislation a threat to our constitutional government and lists six positive dangers.[11] Rather than executive subjugation of the judiciary, we have co-operative combination in personnel and program displacing an ever weakening Congress. So-called judicial orders are displacing our statutes. Whole systems of economic regulation punishable by contempt take the place and supersede laws passed by the Congress. It is no wonder that government loses no program case in a government court. The danger seems clear and present.[12]

That decisions of our Supreme Court are legislation or forbidden policymaking has been stated countless times by the justices of our Supreme Court. The tally sheet for the last few years is as follows:

Black	28	McReynolds	1
Burton	9	Murphy	19
Byrnes	2	Reed	20
Douglas	25	Roberts	17
Frankfurter	39	Rutledge	14
Hughes	4	Stone	15
Jackson	13	Vinson	3

Continued acts of legislation or lawmaking by a judge vested with judicial power only is, in the United States, a high crime and misdemeanor. Judicial approval and authorization to executive officers to make laws are in the same category. The judge who participates in an act of legislation violates his oath of office and that clause in his oath whereby, in conscience, he binds himself to perform his duty as judge "agreeably to the constitution."[13] Judicial power alone has been delegated to judges. A judge administers justice; he is not a lawmaker.

The constitutional remedy is impeachment. It is the American way. It engenders mutual respect and therefore maintains the stability and insures the integrity of our institutions. It is in the public interest. In the language of our Declaration of Independence, no member of Congress should countenance the evil by "giving his assent to these acts of pretended legislation." Adequate power and procedures, designed to defend against internal enemies, whether of good or bad intentions, inhabit the framework of our government. While we are engaged in making democracy work, we should not forget the great impeachment institution and process. We should employ it for the protection of our people. We should dehydrate impeachment and remove its attendant emotionalism. We should put it to work as any other judicial tribunal so that the wrongs which we

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[11]Bricker, *Judicial Legislation: A Threat to Constitutional Government,* an address to the Illinois State Bar Association, Peoria, February 11, 1950.

[12]Palmer, *Dissents and Overrulings,* 34 A.B.A.J. 554 (1948); Palmer, *Analysis of Alleged and Real Causes of Dissents,* 34 A.B.A.J. 677 (1948); Palmer, *Causes of Dissents,* 34 A.B.A.J. 887 (1948); Palmer, *Background for Dissensions,* 34 A.B.A.J. 1092 (1948).

[13]Oath of Justices and Judges of the United States:

"I, ..., do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ..... according to the best of my abilities and understanding agreeably to the constitution and laws of the United States. So help me God."

complain of may be adjudicated, the necessary relief granted, and justice done.

At the conclusion of Mr. Hawkins' address, President Thompson called for the report of the Junior Bar Section which was given by the retiring president, Mr. Arlington Jones. This report appears in Appendix A. At the conclusion of his report, Mr. Jones moved "that the title of Chairman and Vice Chairman of the Junior Bar Section be changed to President and Vice President." This motion was duly seconded, voted upon, and unanimously carried.

President Thompson next called on Mr. Cage Brewer to present the proposals, recommendations and resolutions of the Junior Bar Section.

Mr. Brewer presented as his first motion that "the Secretary of the Mississippi State Bar be directed and authorized to mail to prominent newspapers in the State, Chancery Clerks, Justices of the Peace, real estate agents, banks, cotton associations, tax specialists and life insurance agents a statement as to what is considered the unauthorized practice of law, and that it is condemned, and setting forth the pertinent statutes of the Mississippi Code of 1942 with regard to the unauthorized practice of law."

The motion was seconded and then amended to include insurance adjustors and title guaranty members. A further amendment was added to the effect that the resolution be referred to the incoming Bar Commissioners to authorize that this be done.

The motion, as amended, was voted upon and carried.

Mr. Brewer next moved that "the allocation of funds to the Junior Bar Section from the Mississippi State Bar be raised from five hundred dollars to one thousand dollars with the understanding that the additional allocation, if so granted, will be used by the Junior Bar Section for the promotion of the work of the Committee on Unauthorized Practice of Law and a Committee on Public Information with regard to lawyers."

This motion was, however, withdrawn when it was pointed out that the matter had not been taken before the Budget and Finance Committee.

Mr. Brewer then presented a motion "that the Mississippi State Bar take a stand on the repeal of the Prohibition Laws in Mississippi."

After a very lengthy discussion by the members, both for and against the motion, Mr. John Satterfield offered a substitute motion to the effect that "the matter be referred to the Commissioners of the Mississippi State Bar for their consideration." After further discussion this substitute motion was voted on and carried.

The meeting recessed.

FRIDAY, JUNE 23, 9:30 A.M.

The meeting was called to order by President Thompson. The first order of business was the report of the Memorial Committee, given by Mr. J. O. Hollis. This report appears in Appendix A.

At the conclusion of this report, Mr. Phil Stone moved that the function of conducting the annual Memorial Services be again delegated to

the Junior Bar Section for the ensuing year. This motion was seconded, voted on, and carried.

The report of the Committee on Procedural Reform was then given by Mr. Phil Stone. This was followed by the report of the Legislative Committee, presented by Mr. John Satterfield. These reports appear in Appendix A.

The convention then adopted a resolution, presented by Miss Evelyn Gandy of Hattiesburg, advocating the approval of the proposed constitutional amendment changing the number of Supreme Court judges to nine. This resolution appears in Appendix B.

Mr. John Satterfield then gave the report of the Study Committee. This report was followed by the report of the Budget and Finance Committee, presented by Mr. J. K. Travis, the report of the Mississippi Law Journal Committee, presented by the Editor of the Journal, Mr. Joe Fancher, and a report on the Judicial Conference, presented by Judge Lester Clark. All these reports can be found in Appendix A.

At the conclusion of his report, Judge Clark presented a resolution disapproving certain action of the Solicitor General of the United States. Following this, Mr. Earle Wingo presented a resolution urging all judges in Mississippi to adjourn terms of court conflicting with the annual meeting of the Mississippi State Bar. Both these resolutions were adopted by the assembly and appear in Appendix B.

The next order of business was the election of officers. The following were duly elected:

Gibson Witherspoon, President
John Satterfield, First Vice-President
Sydney Smith, Second Vice-President

The election of commissoners was then conducted by the individual groups from each district with the following results:

W. C. Sweatt, First District
William Hewes, Second District
L. A. Smith, Jr., Third District
Ed White, Fourth District
William Ford, Fifth District
H. B. McGehee, Sixth District
William Bacon, Seventh District
W. H. Johnson, Eighth District
Karl Weil, Ninth District
Marvin Williams, Tenth District
V. J. Brocato, Eleventh District
J. Kearney Travis, Twelth District
Robert H. McFarland, Thirteenth District
Emmett Allen, Fourteenth District
Bernard Callender, Fifteenth District
John Holloman, Sixteenth District
J. H. Caldwell, Seventeenth District

The last order of business was the selection of a site for the next meeting of the Mississippi State Bar. The City of Biloxi was chosen.

The convention adjourned.

PROCEEDINGS OF THE FOURTEENTH ANNUAL MEETING OF THE

JUNIOR BAR SECTION

Held at Biloxi, Mississippi on the 21st of June, 1950

The assembly was called to order at 2:30 P.M., June 21, 1950, in the Buena Vista Hotel in Biloxi, Mississippi, by Mr. W. Arlington Jones, President of the Junior Bar Section.

Rev. Edward A. DeMiller, Rector of the Church of the Redeemer, Biloxi, gave the invocation.

Mr. D. Knox White of Gulfport gave the Address of Welcome, which was responded to by Mr. R. W. Heidelberg.

President Jones then called for the report on the Annual Law Institute at Jackson.

MR. J. M. KUYKENDALL, JR.:

The report that I have to make is that the Fourth Annual Law Institute last spring conducted a postal card survey of all members of the Bar in the state. As a result of that survey to determine the subjects for discussion at the Institute, Circuit Court Procedure was by far the first choice. Accordingly this was made the main subject of discussion and was presented at the Institute by Supreme Court Judges Smith and Hall, and Circuit Court Judges Guynes and Kuykendall.

The Institute was held December 2nd and 3rd, 1949, at the Heidelberg Hotel at Jackson. The program also included discussions by Judge Charles Clark of the Second Circuit, United States Court of Appeals, Chancellor Thomas Minniece of Meridian, Chief Justice Harvey McGehee of the State Supreme Court and Honorable Means Johnson of Greenwood.

One hundred and seventy-three persons registered at and attended the Institute, of which one hundred and seventeen were from outside Jackson. About forty-three were Law School students. This good attendance assures the success of the purpose of the Institute.

This was the first time the University of Mississippi Law School co-sponsored the Institute and it was found to be most beneficial in making for a better Institute, and it is planned to continue this cooperation in the future.

Rowan Taylor of Jackson is the Chairman of next years' Institute, and I am going to yield part of my time to him now, in order that he may tell you about the Fifth Annual Law Institute.

MR. ROWAN TAYLOR: As John said, the Fifth Annual Law Institute will be sponsored this year by the Jackson Junior Bar Association and the Ole Miss Law School. We would like to emphasize one thing: it's non-profit and we want to be of service to every member of the Bar.

It has been set for November 24th and 25th, tentatively. That's the weekend before the Old Miss-State game. Sometime within the next week

or two you will receive a letter from us listing a number of subjects, I think about twenty suggested subjects. We aren't going to attempt to emphasize any one field as last year. We are sending out a list of suggested subjects with a post card to be returned to us with your votes. We are trying to make the Institute something of interest and value to all of you. We can't do it without your help. We want to urge you to attend. Bring your wife and let her do her Christmas shopping in Jackson.

PRESIDENT JONES:

I believe the next report is the report on Lawyers' and Certified Public Accountants' Tax Institute of Mississippi Southern College, by Overton A. Currie, Chairman.

MR. O. A. CURRIE:

We are going to have another Law Institute in Mississippi. Our Chairman of the Junior Bar Section of the Mississippi Bar Association informed me that the Executive Committee of the Junior Bar Section voted to co-sponsor the Lawyers' and Certified Public Accountants' Tax Institute of Mississippi which is to be held on August 18 and 19 of this year at Mississippi Southern College, Hattiesburg. Mr. Jones further stated that the Executive Committee had directed him, as Chairman of the Junior Bar Section, to appoint a committee from the Junior Bar Section to assist and work toward a successful tax institute. Mr. Jones asked me to serve as Chairman of the committee and Messrs. Rowland W. Heidelberg, Jr. and Thomas D. Ott as committeemen.

Mr. Jones further stated that the Junior Bar Section is not to assume any financial responsibility in connection with the program, but is merely to be one of the co-sponsors along with the Forrest County Bar Association, the Mississippi Society of Certified Public Accountants, the Hattiesburg Association of Certified Public Accountants and the Accounting Department of Mississippi Southern College.

I have a public-relations release of Mississippi Southern College which carries a complete and detailed report of the Institute.

The benefits of attending the Institute are already apparent when we consider the nationally known authorities who are to be the principal speakers. We would like to urge all of you to participate in and take advantage of this phase of our Junior Bar Section activity.

This Release from Hattiesburg, June 13th, shows that this is the First Annual Lawyers' and Certified Public Accountants' Tax Institute of Mississippi, and that it is the first tax institute in Mississippi and the nation to be sponsored jointly by lawyers and CPAs.

The purpose of the Tax Institute is to give lawyers and certified public accountants an opportunity to discuss together the current developments in the field of taxation. While it is primarily for these two professional groups, others interested may attend. A small registration fee will be charged.

We hope that you will plan to come. We welcome your suggestions. The Institute is also, as the one in Jackson, for the purpose of service.

President Jones next called for a report of the Code Study Committee, which was presented by Mr. Dan Shell, and a report of the Com-

mittee on the Unauthorized Practice of Law, which was presented by Mr. Merle Palmer. These two reports appear in Appendix A. At the conclusion of his report, Mr. Palmer offered a resolution condemning the unauthorized practice of law. This resolution was adopted by the assembly and appears in Appendix B.

Mr. Sydney Smith then made the following comments concerning the resolution:

MR. SYDNEY SMITH: Are those things mentioned in there unlawful unless a fee is charged? I think I have studied that question a little and my reflection is that it has to be done by a fee. Some legislative action should be taken so a fee should not have to be charged for the practice of law.

PRESIDENT JONES: I might ask you to call on the Attorney General's office—Mr. Wingo, you have something to say on that?

MR. EARL WINGO: The Committee talked to me about that and Brother Smith has raised a serious question. Too frequently the compensation has been the furtherance of a political ambition. Our circuit clerk and justice of the peace and all of those fellows who have their heads in, want to stay in on it. That's their compensation. If you leave it like it is it will scare the devil out of them.

MR. RABB: The way this thing is worded it sounds in a strong manner coming from the Junior Bar. If we could get the Senior Bar to join in we might be in a better position.

PRESIDENT JONES: The resolution states that it is to be presented to the Senior Bar.

MR. RABB: If they don't act on it we are still going to send it out.

I can't get too disturbed over these chancery clerks and justices of the peace doing whatever this thing calls unauthorized practice of law. In my county that makes more law practice than if they did not. It gives us more business trying to untangle some of these deeds. It's a straight selfish view, but I can't get disturbed about that. The thing that worries me is the requirements to be admitted to our Bar. We should concentrate on raising our standards.

MR. SIDNEY SMITH: Mr. Chairman, this question has come up a good many times before. It has come up in local organizations before, too. All of them are somewhat hampered by the question I raised. It wasn't my point to raise a technical question except to try to get rid of it, to get some law we could go on. Therefore, I would like to move that as an addition to the report of the Legislative Committee, we recommend that the section dealing with the unauthorized practice of law be amended so as to take away the requirement of a fee, the word "fee" being charged for the preparation of legal papers or the giving of legal advice as contained in that section.

The motion was duly seconded, voted on, and carried.

MR. ROWLAND HEIDELBERG, JR.: There's a matter that comes under the Code Study Committee that I think should receive further attention. It has to do with the amendment passed by the Legislature to

the new pleading act in the circuit court. I, for one, don't know what the amendment means and where it is going to lead us, and I rather expect that few people do. I would like to move that the report of the Code Study Committee be amended so as to recommend that the committee appointed for the ensuing year study further into that question for report to the next meeting of the Association. I would further like to move that the report be amended to recommend that the committee study into the advisability of recommending to the Legislature the enactment of a declaratory judgment statute.

These motions were seconded, voted on, and carried.

The next item on the agenda was the report of the New Projects Committee, presented by Mr. James Robertshaw. This report appears in Appendix A. At the conclusion of his report, Mr. Robertshaw continued:

MR. ROBERTSHAW: At the University they feel that there's a need for something like this. They are working on some such program which will probably be presented to the alumni at the luncheon. Now, rather than conflict and rather than let them steal our idea—and God knows it was hard to find a new project—I would like to hear a motion from the floor that the incoming Chairman of the Junior Bar Section appoint a committee to work with the Dean of the Law School in the preparation of some such mechanism to establish a fund from which assistance may be given to men who are engaging in the study of law.

MR. BILL WALL: I make that motion.

The motion was seconded, voted on, and carried.

President Jones then called for the report of the Public Relations and Information Committee, which report was given by Mr. George Butler. This report appears in Appendix A. Next came the report of the Convention Committee by Mr. D. Knox White.

MR. WHITE: The Convention Committee of the Junior Bar Section had no meetings during the year, and therefore no report, due to the fact that the work of the Committee was carried on by correspondence and by the members of the committee close to Biloxi, there being no need for any further work.

This committee did meet, however, today before the opening of the convention and has adopted two recommendations to place before the Section, based on their experience with handling this year's convention.

The first of these recommendations is that the convention open on Thursday as in the past to avoid any conflict with a convention already in progress and which has not concluded its session prior to the start of ours. This is especially important to those members who live more than 150 miles from the convention site, as it is necessary that they arrive a day early and often rooms are not available until the other convention has concluded its meeting and checked out. Since most conventions are three days, it would appear that by opening our meeting on Thursday, all those who might have come for a convention the earlier part of the week would have gone by then. We know that this difficulty arose this year, and we were quite concerned by the inconvenience it might cause, although we hope it worked out well as a practical matter.

Our second recommendation concerns the composition of the committee itself and its geographical distribution. While we realize it is a laudable policy to appoint committee members from the various portions of the state, we believe this rule should not extend to this committee. Time dictates that the program as now set up remain more or less intact. Therefore, there is little or no policy-making to be done by this committee, its function being more in the nature of seeing that everything is set up and runs smoothly. Of necessity, that type of work has to be performed on the scene. It is our recommendation therefore that the members of this committee be selected in the future from the county in which the convention is to be held. I therefore place these two recommendations before the committee and move their adoption.

The motion was seconded, voted on, and carried.

PRESIDENT JONES: One of the things that the Executive Committee considered during the year was what we could do to increase our Junior Bar attendance. I would like to throw the floor open for some discussion on that question. What can be done to increase the attendance of the Junior Bar Meeting? Let's have some discussion. How about it, Mr. Wingo?

MR. J. KUYKENDALL, JR.: I have a suggestion that all the courts recess during the period of the Bar Association Convention. I think that would help.

PRESIDENT JONES: I think that's a good suggestion. Let's hear from somebody else.

MR. EARL WINGO: I like the suggestion that the courts adjourn. I left the Chancery Court in my county today and the presiding judge will be here this afternoon. But they didn't adjourn today, they said, "That's just the Junior Bar Section."

Let them adjourn for the Junior Bar just as for the Senior Bar.

Another thought is if they get the program a little earlier so they can see what a fine program it is, what fine entertainment is offered, I think our attendance will increase.

PRESIDENT JONES: Will somebody make a motion that next year the Secretary of the State Bar Association be instructed to write a letter about a month ahead of time to the judges of the state to embrace Mr. Wingo's suggestions.

MR. SLAYMAKER: I so move.

The motion was seconded, voted on, and carried.

Mr. L. B. Porter then presented the first of the Executive Committee reports:

MR. PORTER: The Executive Committee of the Junior Bar Section of the Mississippi State Bar adopted a motion proposing a change of title of the highest executive officers thereof from Chairman and Vice-Chairman to President and Vice-President of the Junior Bar Section of the Mississippi State Bar Association.

Now be it resolved that the highest executive officers of the Junior Bar Section of the Mississippi State Bar Association shall hereafter be known as President and Vice-President respectively.

This resolution was adopted. Mr. Robert G. Nichols then read the resolution of the Executive Committee suggesting that the budget allotment of the Junior Bar Section be increased from $500.00 to $1000.00 per annum. This resolution was adopted and appears in Appendix B.

President Jones next called on Mr. J. B. Guice to present the portion of the report of the Executive Committee dealing with the coordination of activities of the Junior and Senior Bar. This report appears in Appendix A. Following its presentation and after some discussion, Mr. Bill Wall made the following motion:

MR. WALL: I move that the Junior Bar pass along a suggested resolution to the Senior Bar that they allow us to integrate our activities with theirs over the three day period; that is, to not set out the first day of the convention for the Junior Bar, but to divide the time so we will be here when they have their meeting, and they will be here when we have ours.

The motion was seconded, voted on, and carried.

Mr. E. Cage Brewer then took the floor and presented the remaining portion of the report of the Executive Committee. This report was adopted and appears in Appendix A. Following the presentation of that part of the report dealing with the Prohibition Laws, Mr. Brewer made the following motion:

"That the Junior Bar Section request the Mississippi State Bar to take a stand on the repeal of the present liquor laws in our state.

"That the Junior Bar Section by the action of the proper committee continue to investigate and push forward the work begun as shown above by the Executive Committee."

This motion was seconded, voted on, and carried.

President Jones introduced Mr. M. Pope who represented the Junior Bar and Bench of Hattiesburg. Mr. Pope presented a resolution advocating the impartial enforcement of the prohibition laws of the state. This resolution was tabled and no further action was taken on it.

The session adjourned.

WEDNESDAY, JUNE 21, 8:00 P.M.

President Jones opened the meeting and recognized the presence of many of the outstanding members of both the Junior and Senior Bar. He then introduced Mr. Cody Fowler, President-elect of the American Bar Association.

MR. FOWLER: Mr. President, Ladies and Gentlemen:

Arlington asked me to talk to you for just a moment about the convention of the American Bar Association, because he has a very laudable

ambition of having the Junior Bar Section from Mississippi well represented at Washington. He said I should emphasize a little bit, the amount of fun you are going to have. I am going to do that all right, but I am quite sure that if you went up to Washington and didn't do anything but have a lot of fun, you would feel empty-handed when starting home.

I want to say to you seriously—and you young men, this being free advice, won't pay any attention to it probably—if you attend a few of the American Bar Association meetings you will never miss one if you can help it.

In the first place, those of us away from the center of things, as so considered in this country feel like we break the shell or cobwebs that get in our minds sometimes, and let ourselves know a little about what the people in the other parts of the world are trying to do. We have the opportunity there to really make acquaintance with some of the learned gentlemen of the profession, and some of the Wall Street lawyers, and find how amazingly like the crowd from Vicksburg or Hattiesburg they are. It's good for us. You find you don't just value or judge the lawyer by the height of the building he might have his office in.

If you should feel that you have had a good night's sleep and about ten o'clock in the morning decide you want to hear something worthwhile, you will find the leading men in the leading branches of the law where you can hear papers and discussions on matters you may be particularly interested in. There may be twenty or thirty going on at the same time, and the only difficulty is that you can't attend all of them. You feel definitely that you have gotten something worthwhile.

Then, last but not least, there are the friends you make there and look forward to see from year to year, and the comradeship and fraternity. After all, that is really what makes you feel that you have accomplished something that has done you good.

I always tell my friends from up east that we are good for each other; they pull me up and I pull them down. You feel that you have made a lot of worthwhile friends and you have a good time. Let me tell those of you who want to go to Washington that the Canadians are meeting with us this year, and they really are going to put on a convention. The Government and everything else is trying to turn out to show the Canadians a good time, and incidentally, they can't keep from showing it to us.

The year after, we are going to meet in New York. There's never been a meeting in New York, and we are hoping to put on a real party up there. I am going to do my best to make it a success and get some good out of it. I want to assure you if you will come up to Washington you will find it's worth while, you will have a very good time and you will be very glad you did come. The trouble is, don't come unless you want to make it an annual occasion and don't let your wife come unless you want to make it regular, because the ladies have lots of fun also.

I have enjoyed being with the Junior Bar because it's amazing what a short time you are in the Junior Bar and then you are a regular member. The older members always like to see what the younger members are doing. We are depending on you in the American Bar and all of the other associations to carry the load, because some of the rest of us have been working a long time and have grown a little weary.

I am delighted to be here and I hope to see you in Washington. I promise you that you will meet a lot of your contemporaries and will get started off right. I promise that to the Junior Bar of Mississippi. Thank you.

President Jones then introduced Judge V. A. Griffith, who made the following address:

TRUTH IN PLEADINGS

V. A. Griffith

Mr. President, Ladies and Gentlemen of the Junior Bar Section:

It is customary for a speaker on an occasion such as this first to acknowledge the introduction and then to proceed to express his pleasure at being present. Both these I can do this evening with all sincerity.

I am pleased to come before the Junior Section of the State Bar because it has been my impression that for several years the real work, the constructive work, of the State Bar as an organization has been done by the Junior Section, or at least it has been originated there; and I am pleased to be here in Biloxi for this particular occasion because it was here that I first came in actual touch with, and became interested in, the subject about which I am to address you.

It has been a little more than fifty years ago that I came to this town as a cub partner in an old firm, and it was at once that I was advised by my senior that I would have to thoroughly familiarize myself with the admiralty law and practice, there being business of some importance in that field arising out of the fact that the principal sea-borne commerce of that day to and from this section was loaded and unloaded at Ship Island Harbor, and Biloxi was then the nearest available town of any importance, with the additional fact that the federal court was, as it still is, held in Biloxi.

As I proceeded with the study, and first with the substantive admiralty law, I did not find it any easier, as it seemed to me, as compared with our state common law; but when I arrived at the procedural part I found the simplest and most rational of which I had ever heard, and found, too, that no pleading in admiralty which asserts any material fact is admitted to the files there unless supported by oath or solemn affirmation, and in the actual practice I observed that this rule was not one of mere words, but that it was actually and strictly enforced with little toleration of its violation.

Next there was turned over to me the handling of the detailed work in the several estates wherein the firm had been employd, and I was admonished that I must make a careful study of the probate law, which being done, I found again that no pleading, statement or account upon which any decretal order or allowance was to be made would be entertained unless supported by an annexed oath of its correctness in point of fact.

So it was here in this town then emerging from its provincial attitudes into a modern, progressive community that the question was first

presented to my mind that pleadings should be required to be truthful and should be avouched as such by solemn oath, or the equivalent, and for all the years this question has remained with me in all my thoughts on procedural matters.

A great law writer once said, of his time, that if "men were to use falsehood in their common transactions as much as they are allowed to do in their legal pleadings there would be but little confidence between man and man." What would be the result in our daily lives if, indeed, there was no confidence between man and man? Without it our entire commercial system would speedily fall apart. Every great department store in the center of a city is an attestation that men do have confidence in the integrity and fair dealing of other men, for if it were not so that store would be only a small and remote establishment, if as much; every bank that stands on the busy corner is proof of the fact that men do trust each other and that they are worthy of trust; and every ship that sails is a testimonial that the code of honorable conduct is observed in every civilized nation, if really civilized.

The cynic will say, however, that all this is because the courts will compel honesty in all monetary or property transactions, and that at last all business enterprises are dependencies upon the principles of right conduct which find expression and enforcement in the courts, and that the court houses of the land are the real monuments to honesty and integrity in the dealings of men with each other.

We need not pause to debate the cynical premise. Instead, we may accept the conclusion, and in it we find all the proof of argument necessary, that we have the right to expect that nothing but honesty and an unfettered search for the truth, and nothing but the truth, shall characterize every step taken in the court house, the temple of justice, from the initial pleading on to the end.

How then can we defend the propriety of a declaration or a bill which avers supposed facts which the pleader knows are untrue or which he knows he probably cannot legitimately prove,—allowing it without the restraint of an oath to it; and how can we justify a plea which denies everything including things which the pleader knows to be true? How can we be rationally expected to arrive at the truth of cases which is the object of all courts when we use untruth as a vehicle of transportation on the way?

No serious argument has been heard in support of an untrue declaration or bill. The covert support of them is by the few who wish their pleadings to be such as they might support after subtle coachings of witnesses, but these we may eliminate as unworthy of attention, expressing only gratitude that there are so few of them and regret that there are any. The argument for allowing blanket denials, as by the plea of the general issue or its equivalent, is by those who contend that the way to try a case, especially a jury case, is to unfold the entire story from beginning to end as the several witnesses may present it, dramatizing it as if a play on a stage, each participant saying his piece with rafter raising speeches by the lawyers,—that in this way the jury may better appraise the disputed issues instead of having those issues submitted separately from the admitted facts. Whatever validity this argument may have had in the days when as a rule jurors could neither read nor write and lived under conditions

which made them next to stupid, it has no application to the present when jurors on the average are capable of understanding the issues which they are to decide.

Lawyers complain among themselves that they are unjustly treated when there is so much in common parlance and even in literature about their being dishonest, or so suspected, and yet the lawyers themselves are unwittingly to blame for it. A good citizen goes to the court to hear his neighbor's case tried or when summoned on a jury panel, and knowing himself something of the facts, he hears the lawyers reading the pleadings and he knows, and he knows that the lawyer knows, that the pleadings prepared and read are in many respects untrue. He knows that this is the handiwork of the lawyer, and the observant citizen will naturally say to himself that since the work of the lawyer in this matter is not strictly honest how could the lawyer be otherwise himself; and this performance repeated before generations of observers has inevitably left, to some extent, the lay impression that the lawyers' trade is not entirely on the square.

And in the layman's mind it is no answer to say that the law itself so permits, or rather has permitted, for he will at once respond that, in this respect, the law is what the lawyers have made it. And this calls to mind the traditional reluctance of lawyers to foster needed improvements in procedure and their habit of saying we can get along with what we have and we do not favor any change. Some of them write articles and make speeches that the law has not kept up in its progress with the medical profession and its allied callings nor with the advancements in the arts and mechanical sciences. As to procedure this is undoubtedly true; but the difference has been that when the men of medicine and surgery and those of the mechanical world see or hear of a new improvement or an advanced invention, they take it, and improve on it, while the lawyer stands aloof and says we can get along on what we have. It is distinctly reassuring, therefore, and a clear sign of better days that the step in advance in procedure in our state, presently to be mentioned, was originated and carried out by the lawyers themselves.

There are today many indications of a willingness to part company with the old notions largely prevalent a hundred years ago, or less, especially in the circuit courts, that a lawsuit is a game of artful skill in which merits and fair play have only a secondary place—an exceptional game, moreover, and different from all others in that no penalty was expected to follow the violation of its rules. And today in the movement towards betterment it is being recognized in a growing number of decisions that wilfully false pleadings are within the rule that whatever obstructs or impedes or embarrasses the fair and impartial administration of justice is a contempt.

The legislature two years ago definitely joined in the forward movement when by Chapter 230, Laws of 1948, the plea of the general issue was abolished; and then some of the circuit judges began to challenge answers which denied everything as if they should be allowed to subvert the legislative purpose by resort to what is no more in answers than the general traverse.

But in all this one of the greatest advancements, which has been accomplished in our procedure, has recently been made by our State Bar

Commissioners with the approval of all the judges of the Supreme Court. Calling attention to the fact that the statutory oath which every attorney must take, and has taken, is in part that "I will use no falsehood;" and in accordance with another statute so authorizing with the approval of the justices of the Supreme Court, the Bar Commissioners have adopted, with the stated approval, the following rule governing the conduct of all persons admitted to practice:

> "Be it Resolved, That under the authority of section 8708 of the Mississippi Code of 1942 and subject to the approval of the justices of the Supreme Court, the Canons of Ethics of the Mississippi State Bar shall be amended so as to include the following:
>
> "When an attorney is admitted to the Bar in this State, he publicly takes the oath prescribed by Section 8664 Mississippi Code of 1942 which in part is: 'I do solemnly swear that I will use no falsehood.' When therefore he files or presents any pleading on a question of fact, which he knows is untrue in any material particular or as to which he has no information one way or the other, without disclosing such lack of information, he should be dealt with accordingly as for contempt of court."
>
> "Signed by the President, and attested by the Secretary of the Mississippi State Bar on May 7, 1950, and endorsed:
>
> "The Supreme Court of Mississippi hereby approves the foregoing Resolution or Order."

This was signed by the Chief Justice and all the judges of the Supreme Court.

There is another statute not mentioned in the Resolution, Section 8665 of the Code 1942 prescribing the general course of conduct of attorneys which among other things enjoins them "To employ * * * such means only as are consistent with truth."

The legislature having thus laid down the standards and prescribed the prniciples of conduct to be observed by attorneys, it was competent to vest in the Bar Commissioners the authority to make the detailed rule or rules to implement those principles and, that having been done, the resolution as adopted and approved has the force of a statute; and having that force it becomes the duty of every trial judge to enforce it not only because of its legal effect but also in order that the expense of useless hours and, in the aggregate, days spent in the unnecessary proving or disproving of what in truth ought to be admitted, or ought never to have been alleged, may be saved to the taxpayers of the county and to waiting jurors, witnesses and litigants. And it will not at all be necessary in dealing with the contempts to impose any fine or sentence; enforcement may be had by striking the false pleading and permitting it to be refiled only when it has been reformed by eliminating its falsities.

The resolution has been carefully drawn so as to impose no hardships, as its guarded language will disclose. It is so framed that any intelligent pleader can comply with it. And the duty to follow it rests primarily on the lawyer who should never so act as to place upon the

judge an unpleasant duty which it was the part of the lawyer to avoid. I am informed that a copy of the resolution will be officially sent to every lawyer in the state, and it ought to find welcome, as generally it will. Lawyers of the present day prefer to abide by correct rules if they know that their opponents must.

The tendency in modern procedure, as it has always been in the substantive law, is to keep its processes as nearly as practicable within sight of morality, and for that reason, if for no other, it is to be hoped and expected that real support rather than a grudging compliance will be extended to this salutary feature now a definite part of our civil practice, as eventually will have to be done. If a dishonest client demands that it be done otherwise, let him hunt for an unethical lawyer if in this day he is able to find one. It is better to be rid of such a client than have him discredit you in the end.

President Jones next recognized the presence and outstanding work of several people in the assembly, including Mr. Jimmie Love, Manager of the Buena Vista Hotel, Mr. Phil Stone, and the members of the Executive Committee.

The convention then turned to the election of officers. The following were elected:

E. Cage Brewer, Jr., President
Kenneth Franks, Vice-President

Executive Committee:

H. M. Ray, Northern District
Joe Wroten
Elwyn Darden
Jack Travis, Central District
J. E. Smith
William Ford
R. W. Heidelberg, Southern District
Stephen Guice
Owen Palmer

Second Vice-President recommended to Senior Bar:

Sydney Smith, Jr.

The meeting of the Junior Bar Section then adjourned sine die.

APPENDIX A

COMMITTEE REPORTS

REPORT OF THE BUDGET AND FINANCE COMMITTEE

The committee has carefully studied the audit covering the past fiscal year, closing as of May 15, 1950, prepared and certified to by Dick D. Quinn & Company on June 14, 1950. The audit will be filed with the Secretary of the Mississippi State Bar at its office in the Capitol Building, Jackson, Mississippi, and any one desiring details can consult it at pleasure.

The committee is pleased to report that the expenditures for the fiscal year 1949-1950 were well within the budget, and that, on the whole, the financial affairs of The Mississippi State Bar have been carried on in an excellent manner and with proper regard to the report of the Budget and Finance Committee for the fiscal year 1949-1950.

The total receipts increased in the past fiscal year $332.99 over the previous fiscal year. However, there are many lawyers who have not paid their current dues, which is always true at this time of the year, and when current dues have been paid, the financial condition of the Mississippi State Bar will be even better.

Vigorous steps have been taken to effect collection from delinquent members, with resort to court action when required. Several such cases are now pending in the courts. The number of delinquents who are behind with their dues for more than one year has been greatly reduced. However, we believe that further steps should be taken, from time to time, to clear up delinquency, and strongly rcommend to the incoming administration that it proceed as may be required to clear up delinquency of all members for dues owed by them for the past fiscal year and for previous years.

The committee recommends adoption of the following budget for the fiscal year 1950-1951, which is substantially the same as the budget for the past fiscal year:

Secretary's salary	$2400.00
Mississippi Law Journal	3250.00
Junior Bar Section	500.00
Bar Commissioners' Expense	600.00
Committee Expense (This Includes Memorial Services, Legislative Committee expense, and investigating and disbarment expense)	500.00
Travel allowance for Study Committee	150.00
General Office Expense	900.00
National Conference on Uniform State Laws	150.00
Expenses for delegates to Judicial Conference	150.00
Miscellaneous Expense	350.00
Total	$8950.00

The committee would be glad to recommend an allowance for travel expenses for all committees, but cannot do so in view of the fact that the revenues of the State Bar simply are not sufficient to permit it. However, the work of the Study Committee is of greatest importance to the Bench and Bar and to the legislature of Mississippi, and the committee therefore makes an exception, as the committee did last year, and has included an allowance which should be ample to take care of the expenses of one general meeting of the Study Committee. The other committees can

handle their work by correspondence at their own expense as heretofore, and are to be heartily commended for their willingness to follow this course so graciously.

The committee has included and recommends the same allowance of $500.00 to the Junior Bar Section to be withdrawn as and when needed as heretofore by requisition of the President of the Junior Bar Section, directed to the Secretary-Treasurer of the Mississippi State Bar, and to be expended by the Junior Bar as it or its officers may deem best, from time to time.

Respectfully submitted, J. K. Travis, Chairman, Stephen Guice and Augustin Magruder, Budget and Finance Committee for the fiscal year 1950-1951.

REPORT OF DELEGATES TO FEDERAL JUDGES CONFERENCE

This is the report of delegates of the Mississippi State Bar Association to the Federal Judges Conference held at the Edgewater Gulf Hotel, Edgewater Park, Mississippi, May 24, 25, and 26, 1950.

The meeting was called to order at 9:45 A.M. on Thursday, May 25, 1950, by Hon. Joseph C. Hutcheson, Jr., Chief Judge and Presiding Officer of the Conference, and the program proceeded as follows:

Report of Legislative Committee on Proposed Legislation Affecting United States District Courts and District Judges

The Conference voted to recommend passage of a bill prohibiting picketing of the courts, disapproved a proposed bill to make qualifications of jurors uniform in all states, disapproved a proposed bill providing for counsel for indigent defendants, and approved a proposed bill amending the Bankruptcy Act.

The Committee recommended a bill proposing a raise in salary of referees, but the recommendation was disapproved by the Conference. The Conference also disapproved a Committee recommendation that there be an increase of minimum amounts to remove cases from the state courts to the Federal court.

The Conference disapproved a proposed bill to permit the Supreme Court of the United States to make Cannons of Ethics for lawyers practicing in the Federal courts and a proposed bill to put United States Commissioners on a salary.

The Conference voted to approve a bill to provide annuities for Federal judges' widows and a motion to appoint a committee to study a bill that would grant annuities to widows of territorial judges.

Report of Committee on Pre-trial Procedure

Judge Wayne Borah of New Orleans reported that pre-trial conferences were used to some extent by all the judges in the Circuit. He gave statistics by Judge Lynn of Alabama showing great progress in expediting business of the court when pre-trial procedure was used. It was further stated that the law schools in all the states within the Circuit have cooperated, and are cooperating, in trying to establish pre-trial procedure.

The Committee recommended that Rule 16 on pre-trial procedure be not changed because of its flexibility, leaving much discretion to the judge.

Report on the Relation Between the Budget of the Federal Courts Ten Years Ago and Now

Hon. Henry P. Chandler, in charge of the United States Administrative Office in Washington, reported that the proposed appropriation for the 1951 budget for the

Administrative Office and all of its departments is $22,856,000. The appropriation in 1941 as $10,423,150. During the same period salaries have increased only fifty per cent.

In 1941, the courts did not have court criers, but today most of them do and $541,000 of the proposed appropriation is for salaries for criers and court reporters, there being 520 in all.

There has been an increase of $1,500,000 because of new salaried officers that have been either added or changed from the fee basis to the salary basis, and an increase of $2,000,000 for salaries of judges, including many new judges. The salaries for clerks and probation officers has been virtually doubled, and the appropriation for these two offices has almost trebled. Law clerks are now provided for district judges, if the judges request them. 178 law clerks have been added to the 385 employed in 1941. Thirty-seven new jobs have been added to the eighty-seven employees that were working in the Administrative Office in 1941.

On the whole, today's appropriation for the courts and all departments connected with the courts is about double the totally inadequate appropriation of ten years ago.

In 1941, the appropriation for the Federal courts came through the Attorney General's office, which is part of the Executive Department; therefore, the judges who operate the Judicial Department were at the mercy of the Justice Department in trying to get adequate appropriations. The law has now been changed and the Department of Justice has nothing whatever to do with the appropriations of the courts. That is handled through the Administrative Office, which is merely a servant of the courts. In other words, the courts now fix their own budget and submit it to Congress for approval.

Report on the Canal Zone Judicial System

Judge Joseph J. Hancock of the Panama Canal Zone reported that trials in his country are held through interpreters, and that the procedure is very slow. There are no grand juries, but all criminal charges were brought on information by the district attorney. Further, the district courts assume all chancery jurisdiction of divorce and alimony, estates, guardians, minors, adoptions, change of names, and all injury cases when more than $500 is inolved.

There are no juvenile courts in the Canal Zone, and no correctional institutions. Judge Hancock stated that he was a strong believer in probation, especially for young prisoners, but that he had no facilities for such a procedure.

Judge Hancock continued by stating that only part of the Constitutional guaranties provided in the United States Constitution are secured to citizens of the Canal Zone. He expressed a desire for Congress to amend the law with reference to the Canal Zone, so as to provide that all laws applicable to the United States would be applicable in the Canal Zone, except those that are locally inapplicable. This has been done in reference to Alaska.

The meeting continued with, among other things, a report by Hon. G. W. Parker of Texas concerning an attack recently made on the Fifth Circuit by Mr. Pearlman, Solicitor General of the United States. The Conference voted to extend their whole-hearted support to the American Bar Association in disciplining Mr. Pearlman.

Hon. Charles Block of Macon, Georgia, reported on Rules, with reference to records on appeal. He stated that multigraph records were permissable, and that

counsel for each side may quote such excerpts from the testimony and append to the brief as he saw fit, without sending up the entire record.

Hon. Francis Hare of Birmingham, Alabama, spoke on the subject: *Do District Judges Allot Lawyers Sufficient Time to Argue Cases?* Mr. Hare was rather stern in his belief that the judges often times fail to give the attorneys sufficient time to argue their cases, and further stated that he thought the jury, as well as the court, was entitled to the benefit of all the preparations and study the lawyer had made in preparing his case.

Hon. Grady Chandler of Austin, Texas, led the discussions on *Oral Charges to the Jury* and *Argument Before and After Charge.* Mr. Chandler was of the opinion that the charge should be made before the argument. It appeared, however, that all the judges opposed any change in the present system.

Judge Lester Clark of Hattiesburg spoke on the subject: *States' Rights or the Trend of Government Today.* He emphasized the urgent need today for the lawyers and judges of this country to stand up and express themselves in an effort to preserve our Constitution and our form of government against the inroads being made by the socialistic and communistic influences in this country.

Respectfully submitted: Robert W. Thompson, Jr., President, Mississippi State Bar; Robert G. Nichols, Jr.; James Thames; Lester Clark; Fulton Thompson; Robert J. Farley.

REPORT OF THE JUNIOR BAR SECTION

Through the fine cooperation of the President and the other officers of the State Bar, the Junior Bar Section had a very successful year. E. Cage Brewer, Jr., was elected as President of the Junior Bar Section. Mr. Kenneth Franks was elected Vice President.

The Junior Bar Section is in serious need of sufficient funds with which to carry on the good work of the younger members of our profession and to promote interest among the lawyers of the entire Bar of our state.

The Junior Bar members are ready and willing to work but very little if anything can be accomplished unless the Junior Bar has additional funds to use toward a public relations program and the program on unauthorized practice of law.

The Junior Bar Section would like to also recommend—since we must have the authorization of the State Bar—that in order to give more prestige to the officers of the Junior Bar Section—that we change the title of Chairman and Vice-Chairman to President and Vice-President of the Junior Bar Section.

REPORT OF THE STUDENT EDITORIAL BOARD OF THE *MISSISSIPPI LAW JOURNAL*

General

The publication of the October, 1950 issue will mark the completion of the twenty-first volume of the Mississippi Law Journal. Since its organization in 1928, the Journal has presented some ten or eleven thousand pages of legal articles, convention proceedings, book reviews, student case notes, legislation notes, and case comments. At the present time the Journal publishes four issues each year, and has

a circulation of approximately 2,200 copies per issue. The Subscribers include, for the most part, the members of the Mississippi State Bar, the students in the University of Mississippi School of Law, and a substantial number of law libraries throughout the nation. In addition to distribution among practically all of the forty-eight states, the Journal also has a circulation on an international level, having subscribers in England, Canada, Argentina, China, Hawaii, Mexico, the Philippines, Puerto Rico, and the Union of South Africa.

Buildings and Facilities

Just prior to the last report, the Law Journal Building had undergone a badly-needed remodeling. It is currently in good condition and furnishes a comfortable and an adequate place in which the Journal Staff carries on its work. During the past year the reception room has been completely refurnished. Included in this new furniture are two chairs, two sofas, reading lamps, smoking stands and a large conference table. These improvements were secured, without cost to the Law Journal, through the efforts of Dean Robert J. Farley, who always stands ready and willing to cooperate with and assist the Journal in any way possible.

The building now contains an editorial and business office, a reception room, and three study rooms for members of the staff. One study room is lined with shelves which provides storage space for the back issues of the Journal which are kept on hand for the benefit of persons desiring single or additional copies of any particular issue. In addition, the building houses a library consisting of the Mississippi Reports published prior to the appearance of the Southern Reporter, the Southern Reporter, the Supreme Court Reports, the Mississippi Digest, the Mississippi and Southern Digest, and the Mississippi Code of 1942. Each member of the staff receives without charge the Southern and Supreme Court Reporter advance sheets, and the Journal itself receives the advance sheets of the entire National Reporter System. Through the efforts of Dean Farley and the Law School Library, the above described library has been obtained at no cost to the Journal.

Personnel

The personnel responsible for the publication of the Law Journal includes the Law Journal Committee of the State Bar, the faculty adviser, and the student editorial board. At the present time the editorial board is comprised of twenty-nine students.

There are several ways in which a student may become eligible for membership on the Journal. To be eligible for a direct appointment ,a student must have maintained a B average on at least two semesters of work in the Law School. For a conditional appointment, students with a C-plus average on at least two semesters of work or a B average for the first semester are eligible. Upon completion of an acceptable case comment, the conditional appointee receives a permanent appointment. In order to retain their places on the staff, all members must continue to make a C-plus average and must perform the required work on the Journal.

Membership on the Journal, of course, carries with it no monetary compensation. However, as a reward for services rendered, each member who completes the required work receives two hours of academic credit and an engraved shingle upon graduation.

Issues Published Since the Last Convention

The October, 1949 issue of the Journal contained the proceedings of the 1949 Bar convention, an index to the four issues comprising Volume 20, and a directory

of the active members of the Bar. The December, 1949 issue contained a review of the work of the Mississippi Supreme Court for 1947-1949, one article in the State Bar Section, two student case notes, one legislation note, fifteen case comments, and two book reviews. The March, 1950 issue contained four regular leading articles, one article in the State Bar Section, one case note, two legislation notes, thirteen comments, and three book reviews. The May, 1950 issue contained a memorial to the late Attorney General Greek L. Rice, three leading articles, two articles and a poem in the State Bar Section, one case note, fourteen comments, and three book reviews. The average size of each issue has been 144 printed pages of textual matter.

The Legislation Section and the State Bar Section are now regular features of the Journal. The Legislation Section was incorporated for the purpose of providing a source of information on existing as well as proposed statutes. The State Bar Section was adopted for the specific purpose of reserving space for the publication of articles which are of particular interest and benefit to the Mississippi State Bar. It is hoped that members will feel free to submit articles for publication therein.

The Southern and National Law Review Conferences

The Journal is a member of both the National Conference of Law Reviews and the Southern Law Review Conference.

The fourth annual meeting of the Southern Law Review Conference was held at the University of South Carolina on March 24-25, with the South Carolina Law Review as host. The editor, business manager, and the faculty adviser were in attendance at this Conference. Professor William N. Ethridge, Jr., faculty adviser of the Mississippi Law Journal, served as chairman of the Conference and directed a most successful meeting. The first annual meeting of the National Conference of Law Reviews was held in Chicago, Illinois, in December, 1949, with the editor representing the Mississippi Law Journal.

Participation in these conferences has been beneficial both to the individual delegates and the Journal generally. The problems involved in the publication of a law review are numerous and frequently difficult. By taking part in these conferences the Journal is kept abreast of the most recent developments in the production of legal periodicals and is informed of more efficient methods of publishing law reviews.

About ninety percent of the expense of participation of the Mississippi Law Journal in these conferences has been borne by the Law School.

The Index to Volumes 1-20

The manuscript for the cumulative index to volumes 1 through 20 has been submitted to the printer and publication is now under way. After contacting some twenty printers in Mississippi and throughout the South, the contract was awarded to J. W. Burke Company of Macon, Georgia. The completed volume, containing approximately 300 pages, will be available for distribution in late August at $3.00 per copy.

This index is the result of three years of work and effort on the part of the many student staff members of the Journal. Contained therein will be the following different sections: Cumulative topic index of all leading articles, notes, and comments arranged with sub-sections and cross-indexed; table of cases cited; table of statutes cited; author index to leading articles; title index to leading articles; topic index to notes; index to case comments by style and subject matter; index to Bar proceedings for the 20 years; index to the work of the Supreme Court; and a title index to books reviewed.

It is the belief and hope of the Journal that this index will be of great practical value to the members of the Bar. It will make available a convenient and efficient key to the many analytical articles on Mississippi and other law contained in the Journal.

The University of Mississippi and the School of Law has kindly consented to underwrite and finance the cost of publication in the amount of $3,000. All proceeds from sales of the index will be used to reimburse the University.

Future Plans

There are two additional projects with which the Journal is concerned at the present time.

The first project which the Journal has been considering is the possibility of reprinting the numerous out-of-print issues. The business manager is called upon almost every day to supply issues of which there are no copies. This would certainly be a worthy project if a feasible method of reproduction could be ascertained. However, from a recent survey of publishers, it seems that the printing costs are still prohibitive and that no action can be taken in the near future.

The second item with which the Journal has been concerned is the problem of obtaining a printer for volumes 22 and 23. The contract with the present printer, the Birmingham Printing Company of Birmingham, Alabama, expires with the October, 1950 issue. Although the editorial board feels that the present printer has consistently delivered a product of the highest quality, it nevertheless seems desirable to secure the services of a publisher nearer the University if possible. An honest effort is being made to procure a printer within the state of Mississippi. Requests for bids have been sent to twenty-nine printers, thirteen of which are Mississippi concerns. It is hoped that a number of bids will be received in time to be presented at the forthcoming convention.

The Journal and the Bar

The primary consideration of the editorial board in publishing the Mississippi Law Journal is service to the Mississippi State Bar. In endeavoring to serve this purpose, we have attempted to publish material which would be helpful and interesting. We have tried to select material for publication which is of current interest and which would, as a practical matter, be of benefit to the lawyer in the daily pursuit of his profession. It is our fervent wish that this is the result of our efforts.

The board solicits and will be grateful for any suggestions from the Bar in regard to the publication of the Journal. The members of the Bar are particularly invited to submit desirable subjects on which leading articles or student writing and research may be procured and published.

In conclusion, the student editorial board of the Mississippi Law Journal wishes to express its sincere appreciation to the members of the Mississippi State Bar, and in particular to the Commissioners, the members of the Law Journal Committee, the members of the Budget and Finance Committee, the president of the Bar, the Honorable R. W. Thompson, Jr., the secretary, Mrs. Laura T. Reid, the faculty adviser, Professor William N. Ethridge, Jr., and the dean of the University of Mississippi School of Law, Dean Robert J. Farley, whose willing cooperation, assistance, and support have been invaluable to the Journal.

Respectfully submitted,

EDITORIAL BOARDS

FALL	SPRING
Robert J. Hobby Editor	Joe R. Fancher, Jr. Editor
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	Frederick P. Hamel Book Review Editor

EXHIBIT "A" TO THE LAW JOURNAL REPORT

FINANCIAL REPORT OF THE MISSISSIPPI LAW JOURNAL

1949-1950

Receipts

Balance in bank July 1, 1949		$ 294.07
Appropriation, Bar Association		3,250.00
Law School Assessment		567.00
Sale of Back Issues	$205.65	
Less back issues purchased and ret.	17.00	
	$188.65	
Plus back issues accts. rec.	466.70	655.35
Sale of Subscriptions	$321.00	
Plus subscription accts. receivable	100.00	421.00
Sale of Advertising Space	$497.50	
Plus Adv. accts. rec.	357.50	855.00
Miscellaneous accounts receivable		25.00
TOTAL RECEIPTS		$6,067.42

(Exhange credit listed on books, $199.92)

Disbursements

Printing:		
Volume XX, No. 4	$1,495.39	
Volume XXI, No. 1	1,646.25	
Volume XXI, No. 2	1,082.96	
Volume XXI, No. 3	1,278.67	$5,503.27
Postage and Box Rent		155.59
Exchange and Banking Expense		9.55

Page in College Yearbook		50.00
Stationery and Supplies		65.58
Miscellaneous Office Expense	$ 9.86	
Plus delegates expense	27.35	
Plus telephone expense	25.84	63.05
TOTAL DISBURSEMENTS		$5,847.04
Estimated cash on hand July 1, 1950		220.38
TOTAL		$6,067.42

EXHIBIT "B" TO THE LAW JOURNAL REPORT

PROPOSED BUDGET FOR MISSISSIPPI LAW JOURNAL FOR 1950-1951

Receipts

Appropriation, Bar Association	$3,250.00
Law School Assessment	600.00
Sale of Back Issues	150.00
Sale of Subscriptions	350.00
Sale of Advertising	1,000.00
Estimated Balance Brought Forward	429.05
	$5,779.05

Disbursements

Printing:		
Volume XXI, No. 4	$1,260.00	
	1,260.00	
	1,260.00	
	1,260.00	$5,040.00
Exchange and Banking Expense		10.00
Postage and Box Rent		150.00
One Page in College Yearbook		50.00
Stationery and Supplies		70.00
Miscellaneous Office Expense		70.00
Estimated Balance at End of Year		389.05
		$5,779.05

REPORT OF THE LEGISLATIVE COMMITTEE

Upon its appointment, the Legislative Committee of the Mississippi State Bar cooperated with the Study Committee in completing preparation of the numerous acts hereinafter mentioned and obtained their introduction in the Senate and the House. The committee does not intend in any way to claim credit for passage of the various acts hereinafter mentioned, but was active in cooperating with other interested members of the Bar and members of the legislature in assisting in obtaining favorable consideration.

After extended conferences with members of the legislature and of the Supreme Court and the President of the Mississippi State Bar, the committee cooperated in obtaining passage of House Bill No. 195 providing for the appointment of three

commissioners to assist the Supreme Court as a temporary expedient pending submission to the people of the state of Senate Concurrent Resolution No. 10 increasing the number of the Supreme Court judges to nine. The committee also cooperated in advocating that the salaries of the commissioners should be fixed at $10,000.00 per year so as to attract attorneys of ability to these positions.

The committee also worked with members of both the House and the Senate in the effort which resulted in increasing the salaries of Circuit Judges and Chancellors to $7500.00, the increase having been fixed to $7000.00 by one house followed by an amendment which was concurred in, raising the final figure to $7500.00. As efforts along this line were confined to the increase in salaries, no concerted effort was made with reference to the suggestion of expense allowance to these judges.

Expedited procedure in the Chancery Court will result from the passage of Senate Bill No. 3 which generally eliminates the additional thirty day delay heretofore existing for the taking of depositions in the Chancery Court. The bill was drawn by Judge Lester Clark of Hattiesburg and submitted by the Study Committee, and we feel that this is a step forward in procedure in Mississippi.

The committee cooperated in obtaining passage of Senate Bill No. 19 revising the procedure for committing insane persons to state institutions and affecting adjudication of persons who are *non compos mentis*. This bill as passed was not along the lines suggested by the Study Committee and this committee, but we feel it is an improvement over the act which was adopted in 1946.

The committee also cooperated in connection with the passage of Senate Bill No. 175 liberalizing the present laws with reference to the appointment of counsel for indigent persons accused of capital offenses.

The situation existing in Mississippi through the expiration of the period of existence of numerous corporations at the end of fifty years has been remedied by the making available of an extension of the existence thereof to a total of ninety-nine years by the passage of Senate Bill No. 394 which was recommended by the Study Committee and presented and passage obtained by this committee. Section 5334 of the Code of 1942, being an old statute enacted in 1880 whereby a corporation was prevented from executing a deed of trust upon its franchise, income or future earnings as against indebtednesses incurred in the carrying on of the business of the corporation, was repealed. This old statute had proved to be a handicap in certain instances and particularly with loans from governmental agencies.

The committee cooperated in the passage of House Bill No. 147 and No. 299 clarifying the status of forfeited tax land patents so as to render the titles obtained through such patents more stable.

The committee obtained introduction and passage of Senate Bill No. 458 amending the procedural statutes in the Circuit Courts to allow denial of allegations by paragraphs rather than the repetitious denials of each particular allegation. House Bill No. 459 amending the statute providing for the form of summons in Circuit Court actions to conform with the present statutory requirement that answer be filed within 30 days of service passed the Senate, was favorably reported by the House Committee but died on the House Calendar.

At the regular session in 1948 there was introduced and passed through the House an act creating a system of auxiliary judges in Mississippi designed to alleviate congested court dockets and provide an auxiliary judiciary whereby members of the circuit, chancery or Supreme bench who had served an aggregate of 15 years and reached the age of 65 might elect to be transferred from full service to part

time service on the auxiliary list at one-half of the salary he was receiving at the time of the transfer. This bill died in the Senate before the Senate Judiciary Committee. At the 1950 session this committee cooperated in attempting to obtain passage of House Bill No. 145 which embodied the same principles. This was favorably reported by the House Committee but was indefinitely postponed by the House of Representatives.

The committee cooperated with a special committee of the Bar in attempting to obtain passage of the committee substitute for House Bill No. 137 raising the educational requirements of applicants for admission to the Bar in Mississippi. The committee substitute was in accordance with the recommendations of the Mississippi State Bar adopted without a dissenting vote at the previous meeting and this Committee worked until within two or three hours of adjournment of the legislature to obtain the passage of such act. Favorable action was obtained by the House Committee and it appeared that a favorable vote could have been obtained in both the House and the Senate (perhaps subject to Senate amendment), but we were unable to obtain a presentation of the bill upon the floor of the House although every effort was made to obtain such vote and the Senate Committee had already favorably acted upon the bill in anticipation of action by the House. This bill provided for an increase from the requirement of high school education to a requirement of two years of college plus two years of legal training as a prerequisite for the taking of the examination, and the committee recommends that both this bill and the bill setting up a system of auxiliary judges should be presented to the next session of the legislature.

The bills hereinafter mentioned were presented to a joint meeting of members of the House and Senate Judiciary Committees, and in accordance with their recommendation their introduction was obtained in the Senate with most of the members of the Senate Judiciary Committee as co-authors. However, those which were passed by the Senate were caught in the rush at the end of the session and hence they did not become law. The Committee is filing with the Secretary of the Mississippi State Bar copies of the bills as introduced for the use of future committees. These bills and the disposition thereof are as follows, to wit:

Senate Bill No. 385—An act amending Section 1519 of the Code of 1942 so as to provide for the settlement of pleadings and entry of judgment in vacation in the circuit court. (This died on House Calendar.)

Senate Bill No. 386—An act to repeal Section 2735, Mississippi Code of 1942 so as to clarify and enact causes for divorce and to establish statutory procedure for the adjudication and grounds for annulment of marriage. (This died in the Senate Committee.)

Senate Bill No. 387—Amending Section 1389 of the Code of 1942 so as to provide that in the sale or lease of lands or personal property authorized by the chancery court a report or confirmation shall not be necessary where all of the terms of sale are made certain by the decree of order authorizing the sale. (Died in the Senate Committee.)

Senate Bill No. 388—An act amending Section 875 of the Code of 1942 so as to provide a limitation where the due date of an indebtedness does not appear of record. (Died on House Calendar.)

Senate Bill No. 389—An act providing for descent and distribution of property upon the murder of another person by one who would otherwise be an heir or devisee of the decedent. (Died in Senate Committee.)

Senate Bill No. 390—An act amending Section 1228 of the Code of 1942, so as to clearly provide that actions to confirm titles to real estate, or to cancel clouds upon real estate, may be heard and determined in vacation without consent of the parties, providing that such final hearing is not had within thirty (30) days after the due date of the answer. (Died in Senate Committee.)

Senate Bill No. 391—An act to amend Section 3680 of the Code of 1942, to reduce the period of redemption in tax sales for special improvements from three years to two years, so as to maintain uniformity with the redemption period of other sales for taxes. (Died in House Committee.)

Senate Bill No. 392—An act providing for the registration of all causes of action based upon any obligation or liability of a decedent within the six (6) months allowed for probation of claims. (Died in Senate Committee.)

Senate Bill No. 393—An act providing that when any matter is lawfully set by the Chancellor in vacation for confirmation or decree, the Chancellor shall have the power to enter a decree on any day within thirty (30) days thereafter, provided no contest has been filed in the meanwhile. (Died in House Committee.)

Senate Bill No. 395—An act to amend Section 1264 of the Code of 1942, so as to provide that the chancery court shall be considered to act as a court of general equity jurisdiction in removing disabilities of minority. (Died on House Calendar.)

Senate Bill No. 397—An act to amend Section 838 of the Code of 1942, so as to make the rule as to remoteness and against perpetuities applicable to personal property. (Died on House Calendar.)

Senate Bill No. 398—An act to amend Section 1712 of the Code of 1942, as to taking interrogatories so as to make it applicable to all parties to a suit. (Died in House Committee.)

Senate Bill No. 399—An act to amend Section 1296 of the Code of 1942, so as to allow the defendant to bring in new parties as cross-defendants within the discretion of the court. (Died in Senate Committee.)

Senate Bill No. 400—An act amending Section 1249 of the Code of 1942, so as to provide for rule days within term time.

Senate Bill No. 401—An act to amend Section 1640 of the Code of 1942 and Section 2505 of the Code of 1942, so as to provide for an automatic appeal wherever the death penalty is imposed and for the appointment of counsel for the defendant therein.

Senate Bill No. 402—An act amending Section 468 of the Code of 1942, so as to provide that grandparents shall share equally with uncles and aunts in the estate of an intestate where he leaves neither children, descendants of children, brothers or sisters or descendants of them, or father or mother.

REPORT OF THE MEMORIAL COMMITTEE

Services were held September 12th, 1949 in the Supreme Court Room, New Capitol, Jackson, Mississippi, in memory of all lawyers who died between September 1, 1948, and September 1, 1949.

The Chairman of the Junior Bar Section having requested that said group be in charge of said ceremony, permission and authority was given the Junior Bar Group to take charge of same. It is contemplated and hoped for by the Junior Bar

Section of the Mississippi State Bar that it will have the pleasure of conducting the Memorial Services each year in the future.

Honorable Robert Thompson, Gulfport, President of the Mississippi State Bar, introduced the rites. W. Arlington Jones, Hattiesburg, President of the Junior Bar Section, turned the program over to J. O. Hollis, Carthage, Chairman of the Memorial Committee, who eulogized the memory of our deceased brethren, and read the following resolution for and on behalf of the Mississippi State Bar:

WHEREAS, since September 1948 the voice of destiny has silenced with death the lips of the following members of the Mississippi State Bar, to wit:

A. B. Amis (Judge), Meridian
W. L. Bankston, Tunica
Arden Barnett, Jackson
John D. Bennett, Jackson
S. B. Berry, Waco, Texas
M. D. Brown, DeKalb
Arthur Busby (Judge), Meridian
George H. Butler, Jackson
Miss Helen Carloss, Yazoo City
L. K. Carlton, New Albany
Alonzo W. Covington, Quitman
John B. Cox, Shreveport, Louisiana
Don P. Davis, DeKalb
Floyd Edwards, Mendenhall
W. A. Ellis, Carthage
Houston H. Evans, Gulfport
J. Hunter Garth, Hazelhurst
James T. Hutchinson, McComb
M. L. Kaufman, Rosedale
Bee King, Mendenhall
G. M. Milloy, Prentiss
V. V. Montgomery, Edwards
Elliott Parker, Houston
Urithorn Parker, Wiggins
J. O. Prude, Jr., Amory
Tom Shelton, Lambert
Louis V. Smith, Ellisville
Robert B. Terry, Jackson
B. C. Trigg, Greenville
W. Scott Watson, Greenville
Garland Q. Whitfield, Jackson
W. Ben Wilkes, Greenville
James L. Williams (Judge), Indianola

WHEREAS, in obedience to the natural instinct of a Christian people and in keeping with a long established fraternal custom of the Mississippi Bar, it is fitting and proper that tribute be paid to their memory, and

WHEREAS, these deceased members of our Association have conscientiously and faithfully demeaned themselves with credit in accordance with the high ethics of our profession and have at all times been true to their oaths as attorneys and officers of the court:

NOW THEREFORE BE IT RESOLVED that the Mississippi State Bar by and through its authorized representatives, duly assembled in the courtroom of the

Supreme Court of Mississippi, in the City of Jackson, on this the 12th day of September, 1949 join with the loved ones and friends of our deceased brethren in mourning their death; that acknowledgment is made by these resolutions of the loss of their untiring services and activities, not only in the interest of this Bar, but in the interest of their respective communities, the state and nation as well; that the pleasant memory of their way of living, professional ability and conduct be a beacon light of guidance to those of us who remain.

BE IT FURTHER RESOLVED that we express to the immediate relatives of our deceased brethren our heartfelt sympathy in their bereavement and that a copy of these resolutions be entered on the minutes of the Supreme Court of the State of Mississippi and of the Mississippi State Bar; that a copy of same be transmitted to an immediate member of each of the families of our deceased brethren and that the press be presented with a copy of same.

REPORT OF THE PROCEDURAL REFORM COMMITTEE

Your Committee on Procedural Reform was unable to accomplish anything at this session of the legislature with reference to getting passed the bill twice endorsed by the Mississippi State Bar. However, the Committee thinks this bill to vest the rule-making power in our Supreme Court and to establish a Judicial Council should be passed and therefore the committee again recommends that this bill, as approved at the 1949 annual meeting of the Mississippi State Bar, be recommended for adoption to the next regular session of our legislature.

Respectfully submitted: Phil Stone, Chairman, W. C. Keady, Hugh N. Clayton, E. G. Truly, Jr., Semmes Luckett.

REPORT OF THE STUDY COMMITTEE

As a number of the recommendations of the Study Committee of the Mississippi State Bar for the fiscal year 1947-48 were not enacted into law in the regular 1948 session of the legislature, and the recommendations of the committee for the fiscal year 1948-49 were available for presentation to the 1950 regular session of the legislature, the Study Committee cooperated with the Legislative Committee in the preparation of bills embodying the amendments and modifications of existing statutes which had been adopted by the Mississippi State Bar upon such reports. We refer to the report of the Legislative Committee for the disposition of such bills.

The bills thus prepared included Senate Bill No. 3, Senate Bill No. 19 (which differed from the committee recommendation but was to the same general effect), Senate Bill No. 58, Senate Bill No. 116, Senate Bill No. 175, Senate Bill No. 212, Senate Bill No. 224, Senate Bill No. 274, Senate Bill No. 328, and Senate Bills No. 385 to 402, inclusive, committee substitute for House Bill No. 137, House Bill No. 145, House Bill No. 195 and House Bill No. 451.

Copies of the above bills which did not pass are herewith filed with the Secretary of the Mississippi State Bar and reference is made to the report of the Study Committee for the fiscal years 1947-48 and 1948-49 for discussion of these bills.

Numerous additional suggestions were considered by the committee for submission to the Mississippi State Bar at its regular 1950 meeting, and a number of these suggestions of non-controversial nature were presented to the Legislative Committee for consideration by the legislature.

The committee recommended an amendment to Section 1848 of the Code of 1942 to provide that the summons should require an appearance either thirty days after service thereof or upon the first day of the next succeeding term of court, whichever be the earlier, to conform with the present procedural statute in the courts at law. This was introduced as Senate Bill No. 459, passed the Senate but died on the House calendar. The committee also recommended an amendment of the present procedural act governing courts at law to permit the defendant to specifically deny the allegations of named paragraphs without the necessity of individual denials of every particular allegation thereof. An act to this effect was introduced as Senate Bill No. 458 and was enacted into law.

The committee also recommended for consideration of the legislature an act permitting judgment over in matters of recoupment under which both parties to an action such as that arising from the collision of motor vehicles would be able to obtain an adjudication of their rights without the necessity of more than one proceeding. This was introduced as House Bill No. 451, was passed by the House but died in the Senate Judiciary Committee.

The Study Committee recommends to the President of the Mississippi State Bar for the next year that the Chairman of the Judiciary Committee of the House and of the Judiciary Committee of the Senate when they are appointed be included as ex officio members of the Study Committee. We believe that this will be very helpful in familiarizing the legislature with the matters considered and that their membership will be very valuable to the committee in its deliberations.

The committee recommends for consideration of the Study Committee for the succeeding year the following matters:

a. A complete revision of the statute of the state concerning receiverships.

b. A supplemental act applicable in the alternative to all cases providing for judicial review of decisions of administrative bodies such as the State Tax Commission, Public Service Commission, Boards of Supervisors, municipal authorities, etc.

c. An amendment of Section 9287 of the Code of 1942 clarifying and expediting the closing of estates in connection with the payment of inheritance taxes. The desirability of revision of our present statutes concerning instructions so as to require more particular objections by opposing counsel to the instructions submitted by the adverse litigant.

REPORT OF THE CODE STUDY COMMITTEE (JR. BAR)

The Code Study Committee wishes to report that its primary function during the past year has been in cooperation with the Code Study Committee of the Senior Bar in drafting and submitting various legislation to the 1950 Session of the Mississippi Legislature which has now adjourned. Your committee, in cooperation with the Senior Bar Committee, prepared a number of bills which were submitted to the State Legislature through the Senior committee.

Your committee has worked in cooperation with the Senior committee as to general study of conditions and statutes which, in the opinion of the committee, need amending or repealing; and the majority of the recommendations of this committee, will be found incorporated in the report of the Senior committee to be made at a later date during this convention.

Specifically, however, this committee wants to call the attention of the Junior Bar Section to certain recommendations it would like to make as follows, to wit:

Item 1. Your committee favors the enactment of statutes providing for an imparlance day in the circuit courts and appropriate legislation authorizing the Circuit Judge to effectively render default judgments during vacation and on such imparlance days.

Item 2. Your committee favors amending Section 1523 of the 1942 Code so as to give a circuit judge in vacation the power, under appropriate circumstances, to transfer a case to the chancery court. It is the committee's observation and recommendation that legislation is sorely needed to increase the powers of circuit judges during vacation in order to expedite procedures in the circuit courts.

Item 3. The committee further recommends an amendment to Section 753 of the Code so as to limit the period in which an appeal may be taken to three months instead of six months as now provided. It is further recommended that the savings clause concerning minors and persons of unsound mind should be entirely eliminated.

Item 4. Your committee favors an amendment to Section 3680 of the Code relating to periods of redemption in tax sales for special improvements so as to reduce the period from three years to two years. The recommendation is made with the thought in mind that uniformity as to redemptions should be favored.

Item 5. The committee recommends active steps be taken to effect the enactment of a statute specifically defining and setting up the manner in which to compute relationship under the civil law as relates to descent and distribution.

Item 6. The committee recommends a careful study be made of the receivership statutes of the State of Mississippi and that definite statutes be prepared and drafted to be submitted to this convention at its next annual meeing for its approval or rejection so that specific statutes may be presented to the legislature at its 1952 session.

Item 7. The Committee favors providing by special statute that where a cause is lawfully set by the chancellor in vacation and no contest is filed, that the chancellor, after a passing of thirty days time, may be allowed to render a decree on any day thereafter.

Item 8. Your committee recommends the enactment of uniform statutes concerning the matter of restitution in connection with illegal contracts.

Item 9. Your committee recommends amendment of House Bill 529 of the 1948 Legislature so as to require the filing of an answer within a short period of time following the service of process. In this connection, the committee points out that it is now possible, as the statute appears to read, to file a motion for security of costs and take no further action in the litigation until the term of court convenes. This is the reason for the earlier recommendation of the use of an imparlance day with more power granted to the circuit judge to enter orders concerning pleadings in a lawsuit so as to get a lawsuit in line for trial at the earliest possible date consistent with due process and a reasonable time being granted to all litigants to file appropriate pleadings.

Item 10. Your committee strongly urges and recommends the enactment of statutes with reference to registration of motor vehicles as to which owners are residents in the State of Mississippi. The committee follows the recommendations of the committee for the 1949 convention that such statutes should be patterned after those now in the states of Illinois, Missouri and Texas. In view of the uncertain condition as to titles to vehicles in this State and the easy manner by which fraudulent activities are conducted with reference to sales of vehicles, the committee feels

that protective laws with reference to registration of motor vehicles and appropriate title certificates for same would definitely be advantageous to the citizens of this state.

Item 11. Your committee strongly urges the enactment of statutes calling for recording of conditional sales contracts. Too frequently in the past, many honest citizens have been caught purchasing property thinking they had good title only to find an outstanding title in the original vendor, and hardships have been worked because of a lack of uniformity in our system of recordation of such contracts.

Item 12. Your committee favors an amendment to Section 9821 of the Code so as to reduce the period of back assessment of ad valorem taxes from fifteen to five years. This would be particularly helpful with reference to obtaining tax receipts and proof of payment of taxes in the preparation and examination of abstracts.

Respectfully submitted: Dan H. Shell, Chairman; James L. Spencer, Jule A. Schwan, J. A. White, Champ Gipson, W. P. Mitchell, Frederick C. Berger, Lawrence D. Arrington, Edgar J. Stephens, Jr., R. A. Gray, Jr.

REPORT OF THE EXECUTIVE COMMITTEE (JR. BAR)

In the various meetings of the Executive Committee of the Junior Bar Section, the attention of the committee was called to the poor attendance of members of the Junior Bar Section at the State Bar conventions, and especially to the poor attendance to the meetings of the Junior Bar Section by its own members. At last year's convention, even though there was an excellent program with good reports and outstanding speakers, there were very few present to appreciate the quality of the efforts of the Junior Bar. Finally, a committee composed of L. B. Porter, Union, Lampkin Butts, Gulfport and Jacob Guice, Biloxi, was appointed to investigate this matter and to see if there was some way to improve this attendance by a co-ordination of activities of the Junior Bar and the Senior Bar, with particular thought to the manner of holding of their annual convention. At the time of the appointment of this committee, the program for this year had already been planned by Mr. R. W. Thompson, the State President, and it seemed impossible to effect any changes of this year's program. However, the matter was discussed with the President of the State Bar, by members of this committee, and with other members of the Junior Bar, and the consensus of all of these discussions was that in the future the convention of the Mississippi State Bar would be much more successful if it covered a two-day period rather than a three-day period, and that the Junior Bar Section should be handled in one of three ways: the Junior Bar Section be assigned a definite period of time during the convention, or its program be disbursed and coordinated with other programs of the State Bar, or the Bar program be divided at some stage. Mr. Thompson tentatively suggested perhaps the first morning of a two days session be joint, the afternoon session separate, and the remainder of the meetings joint.

Among the purposes, as set out in the resolution of September 4, 1936, forming the Junior Bar, was the following:

"That, in order to furnish a forum for the younger lawyer, encourage and foster discussion, the interchange of ideas, and constructive action for the preservation and advancement of the ethics, prestige, and integrity of the Bar among the younger lawyers, and to establish a special means whereby the younger lawyers may be induced to interest themselves to a greater extent in the activities of the Mississippi State Bar and more materially assist in the accomplishment of its purposes and func-

tions, there is hereby created a standing committee of the Mississippi State Bar to be known as the Junior Bar Section of the Mississippi State Bar."

It would appear that this purpose has not been carried out properly by the type of activity that has been set out in the conventions of late. There has been little interchange of ideas among younger and older members of the Bar. On many occasions the members of the Junior Bar attend only the Junior Bar Section activities and return to their homes. The younger lawyers have not availed themselves of full participation and activities of the State Bar Association, and have thereby suffered from the loss of the association with more able and outstanding members of the Bar, which association is helpful in the preservation and advancement of the ethics and integrity of the younger members of the Bar.

This criticism does not apply to the activities of the Junior Bar Section itself, which have been as full as its financial allotment of $500.00 a year will provide. Under this allotment, however, the basis of participation cannot be very broad. The result is that the activities of the Junior Bar, other than at the convention, are limited to an Executive Committee and 25 or 30 other people who are appointed on committees. The Executive Committee of the Junior Bar Section earnestly seeks a greater participation of its members in the activities of the convention of the Mississippi State Bar and desires an explanation of why there is not a greater attendance at the annual convention of the Mississippi State Bar. Of course, there is the ever present problem of young lawyers collecting a sufficiency of fees. This is viewed as a factor to be considered but not the whole cause. This committee suggests that the convention of the Mississippi State Bar be limited to a two-day period and that the Junior Bar Section be assigned a definite allotment of time, that it be afforded various times to present its program to the members of the Mississippi State Bar interspersed among the other programs, or that the program be divided at some point similar to the method indicated above.

Shortly after the Bar Association met last year, the Executive Committee of the Junior Bar Section met on the 10th day of July, 1949, and discussed among other things the proposition of whether the probation laws in Mississippi needed revision, repeal, enforcement or what. To that end a sub-committee was appointed to collect information from the Junior Bar members to reflect their views.

Considerable thought went into the questions presented to the members of the Junior Bar Section and no less than seven hundred questionnaires were sent out. Of that number a little less than four hundred were received back, some of which were with detailed comment and some without. The results were rather enlightening, and the basis of the report of the Executive Committee is the information received from these questionnaires. I am sure that all, or most of you, have received these, but to refresh your memory I am going to read them.

(1) Are you in favor of Mississippi statutes which prohibit the sale of intoxicating liquors in the state and also impose a "black market" tax on the sale of such liquors?

The answer to that was: 35 yes, 10%; 293 no, 90%.

(2) Would you favor the adoption of laws in Mississippi which would legalize the sale of intoxicating liquors in those counties of the state in which a majority of the qualified voters indicate a preference for such legalization?

The answer to that is: 305 yes, 87%; 44 no, 13%.

(3) If the sale of intoxicating liquors be legalized in Mississippi, do you think that liquors should be sold through state-owned stores or private stores?

The answer to that was: 215 state-owned, 60%; and 134 private stores, 40%.

(4) Do you think that repeal of Mississippi's prohibition laws would make it easier to enforce other statutes which are frequently violated, e.g., gaming?

The answer was: 245 yes, 74%; 89 no, 26%.

The next question was of great importance in light of the answers received through the first four questions.

(5) If a majority of the members of the Junior Bar answer question (2) above in the affirmative, would you favor action on the part of the Junior Bar to implement the view so expressed?

In favor of that were 293 or 86%; 48 no, or 14%.

(6) If you do favor legalization of the sale of intoxicating liquors in Mississippi, do you think our liquor laws should be strictly enforced, statewide, with assistance from Federal liquor law enforcement officers if such could be obtained by amending the present laws?

The answer was: 81 yes, 55%; 67 no, 45%.

Questionnaires were sent out on penny post cards and returned unsigned. Request was made for detailed comments by letter, and although only a few detailed comments were received, they reflected that the young lawyers are in favor of action by the Junior Bar Section looking toward some revision to give Mississippi some more definite position on the intoxicating liquor question. Three of those written letters thought that the Junior Bar Section is not the agency or organization to carry this move forward.

The letters and poll indicated that if anything at all, this is going to be a long-range educational program and assistance is going to be needed to help those from the Junior Bar who go ahead with the idea. The Executive Committee was vain enough to think that the Junior Bar Section has the respect of the people in Mississippi and that it's not overstepping to offer such a resolution.

The committee is fully cognizant of the fact that if the wishes of the Junior Bar Section are to be carried out, an extensive educational program will be needed for the state, as active opposition to any change of the present setup can be expected. But if any step forward is to be taken, considerable work will have to be done. Along this line the committee is of the opinion that assistance can be obtained from Licensed Beverage Industries, 10 East 40th Street, New York, 16, New York; Distilled Spirits Institute, National Press Building, Washington, D. C., and National Committee for Education on Alcoholism, Yale University, New Haven, Connecticut. These organizations are qualified to get the necessary material to present to the citizens of Mississippi. The matter is not one that can be accomplished in one year of action by the Junior Bar Section but is one that will require much time and effort.

This committee feels further, in view of the results of the poll and in view of information available to the public on the consumption of intoxicating liquors in our State, that our State needs to place its laws on a more business-like basis with a view in mind of solving the necessarily associated social and moral questions. This statement is made in the belief that intoxicating liquors will be consumed and brought into our State regardless of whether the laws are repealed or not.

Although not a great deal of attention has been given to the question of some type of automobile financial responsibility law in the State of Mississippi, the Execu-

tive Committee of the Junior Bar Section, Mississippi State Bar, has given some consideration to the passage of such a law in our state.

Copies of various financial responsibility laws from the states of Massachusetts, Virginia, Texas, California and Tennessee were obtained and sent to the state legislature. Only one law was suggested at the 1950 session of the legislature, and this never got past committee. It may be that the time is premature for the passage of such a law, because of the fact that the citizens of our state have not been fully enlightened as to the purpose and effect of such laws.

The members of the Junior Bar Section are probably familiar with the number of automobile accidents on our highways which result in the crippling and injuring of thousands of motorists each year, and for which the injured motorists have no possibility of recovery because of the fact that so many persons responsible for injuries and property damage are judgment proof and have no insurance. The highways of Mississippi every day are full of such persons. Our state, of course, already has statutes providing that motor carriers on our highways must carry personal injury and property damage liability insurance for the protection of others. There is no such law for individual motorists.

Generally automobile responsibility laws fall into two categories. The laws of Tennessee provide in effect that a person must either post bond or obtain liability insurance, and if this is not done his right to drive is revoked. Under this plan a driver is given what might be called one free accident, because it is never discovered he has no bond or insurance until after he has had an accident. The laws of Massachusetts provide in effect that an automobile cannot be registered with the state until the owner furnishes evidence that he is either financially responsible for any judgment which might be obtained against him up to a certain amount, or furnishes evidence that he has the proper liability insurance. The latter state has the law which is believed to be the best, although such a law has not been passed in many states.

The Mississippi Association of Insurance Agents has taken the position that it will not support or oppose any financial responsibility law until the people of the state have evidenced their desire for one. The Association of Casualty and Surety Companies has prepared a model automobile law, which not only includes a type of financial responsibility law, but also includes a model automobile inspection and title law. This Association takes the same position as that of the Mississippi Association of Insurance Agents in saying that it does not advocate or propose its model law, but thinks that the model law is an excellent one to adopt if the people of the state have decided what type of security they want. This model law has been passed in about twenty states, and is more along the lines of the Tennessee law than of the Massachusetts law.

Information as to the amount of insurance premium in states with financial responsibility laws is somewhat difficult to obtain. In many of the states where such laws are in effect the premium rates would be higher than Mississippi because of more congested populations and traffics, so it cannot be said that the financial responsibility law alone causes premiums to be higher.

It is the opinion of this committee that further steps should be taken to ascertain if the people of our state desire such a financial responsibility law, and, if so, that the Legislative Committee propose such to the next session of our state Legislature.

REPORT OF THE NEW PROJECTS COMMITTEE (JR. BAR)

Your committee, in its work during the past year, has assumed the responsibility of recommending for the consideration of the Junior Bar Section some project which, in its opinion, would take the JBS into a new field of operations, would benefit the Bar of the state as a whole, and which promised some credit to the JBS.

After careful consideration of several proposals, your committee recommends, as a new project, the establishment of a trust fund to be administered as outlined below, for the purpose of assisting law students of this state in the completion of their legal education, to be known as, "The Junior Bar Section Educational Fund."

As every young lawyer knows, the educational investment in time and money which is necessary to qualify a young attorney to give adequate service to his clients is large. The initial return, when compared with the expectable return from other professions or occupations, is so small as to discourage qualified students from entry into the study of law, and—which is worse—to induce qualified students of law to abandon the profession in search of a more lucrative field of endeavor. With the gradual elimination of educational assistance under the so-called "GI Bill of Rights," there is a real need for assistance to qualified students who might not otherwise be able to complete their study of law.

The committee feels that assistance to students of law who have proved their ability to become lawyers, when the assistance is needed most, would produce substantial results in improving the quality of persons entering the profession. The committee feels that, in the long run, unless something is done, the input of new lawyers may be limited to persons "inheriting" an established practice, or who may come of families financially able to underwrite the extensive training required to cope with the complicated legal problems of our times.

The committee proposes that this trust fund be an "open end" trust, the corpus of which may be established by the donation of a nominal sum in trust, with the trustees empowered to augment the corpus with donations from alumni of the University of Mississippi and with donations from individuals. The unexpended portion of the sum allotted for use of the JBS each year in the Mississippi State Bar budget might also be annually added to this trust.

The committee proposes that this fund be deposited with a corporate trustee charged with the administration of the funds, their investment, collection of income, execution of notes, collection of notes, etc., and that this trustee be empowered to lend money from the trust fund to persons designated by the committee recommended below, upon unsecured notes, and without liability for any loss on any loan made under the authority of the committee recommendation.

It is the committee's thought that the corpus of the trust, that is, cash donations to the trustee, be invested in income-producing securities, and that eventually the corpus will consist of these income-producing securities plus the unsecured notes of student beneficiaries, bearing interest at the rate of 6%. The funds to be used for loans to students would be provided by loans made by the trustee to the trust, secured by the pledged corpus of the trust, at a low rate of interest, making available "working capital" not to exceed one and one-half times the value of the trust corpus.

It is proposed that a committee be created, to select students to whom loans may be made by the trustee, to be composed of the following:

1. One member designated by the Chairman of the Junior Bar Section,

2. The Dean of the School of Law, University of Mississippi,

3. One member of the faculty of the School of Law, University of Mississippi, designated by the Dean,

4. The President of the Student Body of the School of Law, University of Mississippi, and

5. One member to be elected by ballot from the membership of any honorary legal fraternity, or fraternities, or similar bodies, presently existing or hereafter formed from members of the School of Law, University of Mississippi.

It is proposed that this committee be charged with the responsibility of nominating students who may be lent money by the trustee, stipulating the amounts and terms of each loan within the authority vested in them by the trust instrument.

The committee proposes that any student of the School of Law, University of Mississippi, or any student who is a bona fide resident of the State of Mississippi and who intends to practice law within the state upon completion of his legal education, will be eligible to borrow money from this trust fund upon his unsecured personal note, repayable within three years from his graduation from law school, or from his departure from law school prior to graduation, with interest at the rate of six per cent per annum from date until paid, and payable annually, or on such other terms as the committee nominating said student shall approve. The amount any individual might borrow from this fund should be limited to $300.00 per scholastic year.

The committee proposes that the trustee of the fund make an annual account to the committee set forth above, and that the member designated by the Chairman, Junior Bar Section, make an annual report to the JBS setting forth the status of the trust fund, its investments, receipts, and expenditures.

REPORT OF THE PUBLIC RELATIONS AND INFORMATION COMMITTEE (JR. BAR)

As stated in the report of the 1947 Public Relations and Information Committee, our general objective is

"...to enlighten the citizenry on subjects which are vital to them and to our form of government and to create mutual understanding between the public and the lawyer to enable the legal profession to reach a high degree of public usefulness."

It was further proposed by this committee that the State committee should closely cooperate with the Public Information Program of the Junior Bar Conference of the American Bar Association. It is now the policy for the State Committee Chairman to be State Director for the Public Information Program of the Junior Bar Conference. Consequently, information forwarded from the latter committee can readily be worked into our local information program.

From experience of other committees in the past we decided that radio afforded the most suitable medium for our efforts. Rather than the narrative, or "question and answer" program, we have concentrated upon dramatizations, feeling that if we make our presentations as entertainment features, we might achieve greater "listening appeal." Since this type program allows much wider latitude of expression and demonstration, we believe our messages will have more lasting effect than if presented as abstract lectures. Several scripts are being prepared by committee

members, and will be dramatized and recorded by certain members and their wives. The first is now ready for recording, and will be presented soon.

We are assured of cooperation with local stations throughout the State of Mississippi, and recordings of our programs will be forwarded to the various stations after their original presentation in Jackson.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE OF LAW (JR. BAR)

Since the last Junior Bar Association meeting, there has been made a distinct change in the operation of this committee. During the past year there was appointed in each of our counties, a member of the Junior Bar Association, as a committeeman for his county, on the unauthorized practice of law. Many of you here today are members of this committee. This is a great step forward in accomplishing the aims and works of this committee, and if this same setup can be carried out in the ensuing year, many persons who are now engaged in the unauthorized practice of law will cease such practice.

As we all know, our profession has certain qualifications that must be met before one is admitted to the practice of law in our State, and when a person prepares himself for the legal profession he does so with the understanding that those who are not qualified will not be allowed to encroach on his business. Therefore, we certainly want to protect and completely safeguard ours, the legal profession.

In past years, there have been no known state-wide organizations engaged in unauthorized practice in this state. This apparently is still true. However, in past reports there were pointed out certain conditions of unauthorized practice, such as: real estate agents, justices of the peace, tax specialists, cotton associations and chancery clerks, when acting in a certain capacity. We recognize, of course, that this unauthorized practice is not the presenting or engaging in the practice of law in our state courts, but that it is in the advising and preparing of legal instruments; that is, in drawing deeds, contracts, mortgages, leases, and such other legal papers that should be drawn by a person learned in the field of law and qualified as such in this state.

It is recommended that this Association pass a resolution directing the Secretary of the Mississippi State Bar Association to have printed form letters setting forth what this organization deems as unauthorized practice of law, and also embodying in said letter the Statute on the penalty for such practice and a copy of the resolution attached hereto, and requesting such violators to cease doing legal work, and impressing upon them that if this practice is not stopped, that such steps will be taken as are deemed necessary; that the President of the Junior Bar Section of the Mississippi State Bar Association be authorized to bring suit against those persons who are engaged in the unlawful practice of law in our state in the name of the Association; that this letter be sent to each of our justices of the peace in the state, to each chancery clerk in the state, to each real estate agent of the state, to each tax specialist of the state, to each cotton association in the state, and to each bank in the state; that this letter be signed by the Secretary and shown to be the will of this Association as a body.

It has, in the past, been reported that certain educational programs and public relation programs have been recommended to this Association as a means of educating the public in general to the advantages of employing legal assistance in handling matters of a legal nature. It is again heartily recommended by this com-

mittee that such programs be put into effect, and that this Association adopt a resolution to that end.

With the setup we have at present, each individual county has a member on this committee where complaints can be made and which can be forthwith sent to the chairman. The chairman then can select some committeeman to advise the offender that he is engaging in the unauthorized practice of law and that he should cease this practice. This, in the past, has been a very favorable way of curbing such unauthorized practice, and it is believed that there would be few cases that would require prosecution.

There have been reported in the past certain matters which constitute the unauthorized practice of law, as well as some instances that do not constitute such practice. It is believed by this committee that if we remain diligent in reporting offenders to our profession and guard against any further unauthorized practice of law, that the same can be prevented.

To effect the end for which this committee was established, we must have the wholehearted support of our organization. It has been reported that such unauthorized practice is a local problem and that such action as needed to stop this practice should be taken by local bar associations. This may readily be the answer in some counties; however, there are many more counties that would not be able to use this solution. With the appointment of a committeeman for each county, we can accomplish our purpose more speedily and certainly with more effect by acting as a State Bar Association. There are those counties that do not have their local bar association, and there are those counties which have their own association but have ceased to function, and it is therefore believed that in acting as a body we will be much stronger and the action we take will have much more force.

In the past, we have never taken any steps that have actually put people on notice of their unauthorized practice of law, but if the resolution attached to this report is adopted by this Association and carried out in effect, we can reach all of those persons that are carrying on unauthorized practice. It will be not a complaint, but a letter of information notifying them what unauthorized practice of law is, and the penalty therefor. With this notice, we will find that most of these people will cooperate with us in protecting our profession.

APPENDIX B

RESOLUTIONS

RESOLUTION SUPPORTING PROPOSED AMENDMENT TO THE MISSISSIPPI CONSTITUTION

WHEREAS, within the past ten years the state of Mississippi has witnessed a tremendous increase in industrial development and especially in oil development, and

WHEREAS, this great progress has greatly increased litigation in the courts of our state, and

WHEREAS, under the Constitution of 1890 only two Supreme Court judges from each of the three Supreme Court districts of the state are permitted, and

WHEREAS, the volume of business for many years in the Supreme Court has been so great that the Bench and the Bar and the people have come to realize that at least three new Supreme Court judges should be provided for so that the overcrowded dockets of the Supreme Court may be kept up to date and the business of the Supreme Court dispatched with promptness, and

WHEREAS, at the regular session of the Mississippi Legislature in 1950 an act was passed providing for an amendment to the Constitution of 1890 to be submitted to the people in the November General Elections of 1950 and which amendment if approved by the people would authorize three Supreme Court judges from each of the Supreme Court districts of the state thereby creating a Supreme Court of nine members instead of six and would thereby eliminate the three/three decisions which we often have now and further would greatly relieve the present Supreme Court judges who are greatly overworked in trying to keep up with the large volume of cases they are now required to consider and decide, and

WHEREAS, the Mississippi Legislature at its regular 1950 session, realizing that the necessity for such relief was urgent, enacted a bill authorizing the Governor of the State of Mississippi to appoint three Supreme Court commissioners, one from each Supreme Court District, whose duty it is to assist the present Supreme Court judges in reading the records, briefs, searching the law, reporting to the conference and otherwise, but having no vote, said act being passed as an interim arrangement relieving the present congested docket of the Supreme Court until the people could vote on the said proposed amendment to the Constitution in the November 1950 general elections, and

WHEREAS, we of the Mississippi State Bar realize that said acts by the 1950 session of the Mississippi Legislature were necessary and wise and that the constitutional amendment should be approved by the voters in the November elections, and

WHEREAS, we further realize that the voters of Mississippi do not readily vote to change their Constitution unless they are fully advised in the premises and understand fully the result of the change, and

WHEREAS, we therefore believe it necessary, not only that this State Bar Association should express to the people of Mississippi its approval of said amendment, but also that we should urge each county bar association through public forums, newspaper and radio advertisements and otherwise, to explain to the people between now and November, the necessity for the approval of this amendment so that the people will fully understand what they are voting on and the reasons therefor,

NOW, THEREFORE BE IT RESOLVED that we, the members of the Mississippi State Bar Association, in annual session assembled at Biloxi, Mississippi,

do by this resolution endorse and approve the adoption of said amendment to the Constitution at the November elections, and further, that we commend the Mississippi Legislature for its wisdom in submitting the amendment to the people and in making temporary provisions until the general elections in November, 1950.

BE IT FURTHER RESOLVED that we do request and urge each County Bar Association within the state through proper committees or through any means it sees fit to endeavor to explain to the people through public forums, over the radio and through the newspapers the purpose of this amendment and to endorse same in each county, and further, to take the responsibility of familiarizing the election workers at the November general elections with the purpose of the amendment so that voters who ask for information as they go to vote may receive an intelligent explanation thereof.

RESOLUTION CONDEMNING ACTION TAKEN BY THE SOLICITOR GENERAL OF THE UNITED STATES

WHEREAS, it has been called to the attention of the members of the Mississippi State Bar Association that recently the Solicitor General of the United States in petitions for certiorari in National Labor Relations Board v. Atlanta Metallic Casket Co. and four other cases, used language in said petitions that cast a reflection on the district and circuit judges within the Fifth Circuit Court of Appeals District in that said petitions charged substantially that the decision from the Fifth Circuit appeared to be establishing a pattern whereby the National Labor Relations Board and others would be denied due process of law or some words to that effect, and

WHEREAS, the lawyer delegates within the Fifth Circuit at the annual meeting of the Fifth Circuit Judicial Conference held at the Edgewater Gulf Hotel on the Mississippi Gulf Coast on May 24, 25 and 26, 1950, took cognizance of this unwarranted assault upon the judges within the Fifth Circuit and proposed a strong resolution whereupon it was called to the attention of said delegates that the American Bar Association through its house of delegates and through its Committee on Ethics and Grievances had already taken up the matter and was dealing with the said Solicitor General on this subject matter, and,

WHEREAS, it was further stated by the lawyer delegates at said conference that in their opinion it would be proper for each State Bar Association within the Circuit to pass appropriate resolutions defending the unjust assault made by the said Solicitor General of the United States, it being made known also at the time that several State Bar Associations within the Circuit had already passed appropriate resolutions in this regard, and

WHEREAS, we, the members of the Mississippi State Bar Association in regular session assembled in Biloxi, Mississippi, do hereby express abiding faith in the Circuit and District Federal Judges within the Fifth Circuit and have complete confidence in their integrity and judicial honesty and in fact express ourselves as believing that the soundest thinking in any Circuit in the United States is in our opinion withn the Fifth Circuit, and

WHEREAS, we believe this unwarranted assault by a government attorney in a high place is highly improper, unethical and unprofessional and that said Solicitor General should be dealt with and disciplined very sternly, and

WHEREAS, we believe that all attorneys have a duty to respect the integrity of all the courts of our nation and especially do we believe that any attorney who

has been honored by his Government and placed in a position of responsibility should set the example in his professional ethics even more so than a regular practitioner, and

WHEREAS, we believe that the improper conduct of said Solicitor General complained of has indeed set a bad example and might, if permitted to go without notice, start a trend or develop a pattern whereby other Government attorneys might feel free to insult or cast reflections upon the dignity and integrity of our courts when their biased whims might dictate and especially so with attorneys whose professional ethics are so different from ours and whose philosophy of life is so different and so inimical to our constitutional form of Government,

THEREFORE BE IT RESOLVED, that we, the members of the Mississippi State Bar, in annual session assembled, do by this resolution express our firm disapproval of this unprofessional conduct on the part of the Solicitor General of the United States and pledge our wholehearted support to the American Bar Association and to its ethics and grievance committee in disciplining and punishing said Solicitor General for his unwarranted, improper and unethical conduct.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Association and that a copy be furnished the President of the American Bar Association and that a copy be furnished to Judge C. Hutcheson, Jr., of Houston, Texas, Chief Circuit Judge of the Fifth Circuit, and that a copy be furnished the press.

RESOLUTION THAT COURTS BE ADJOURNED DURING MEETINGS OF THE MISSISSIPPI STATE BAR ASSOCIATION

BE IT RESOLVED: That all of the judges of all of the courts of the State of Mississippi be, and they are hereby respectfully urged, to adjourn any term of court for the period when the same shall conflict with the annual meeting of the Bar Association of Mississippi, and including the Junior Bar Section thereof.

RESOLUTION CONDEMNING THE UNAUTHORIZED PRACTICE OF LAW (JR. BAR)

WHEREAS, there has come to the attention of the Junior Bar Section of the Mississippi State Bar Association that certain individuals within the State are engaged in the unlawful practice of law incidental to their other occupations:

AND WHEREAS, we, as an association of young men of the legal profession of the State of Mississippi, do hereby condemn such acts and conduct on the part of any such individuals, and are willing to exert our best, united efforts to vigorously prosecute all such violators within the state which come to our attention, for the public's best interest.

AND WHEREAS, the following acts have been declared to be engaging in the unlawful practice of law:

A. Preparing a deed conveying real or personal property.
B. Preparing chattel mortgages or deeds of trust.
C. Preparing any type contract.
D. Certifying to land titles, either oral or written.
E. Assisting laymen in the checking of land titles.
F. Any activity usually carried on by a member of the Bar.

NOW THEREFORE, BE IT RESOLVED: That the Junior Bar Section of the Mississippi State Bar Association, in convention assembled, does hereby condemn the unlawful practice of our profession as hereinabove set forth, and further that we obligate ourselves, as a body, to investigate, and in proper cases, to insure the prosecution of those guilty of such unlawful conduct.

RESOLVED, FURTHER: That a copy of this resolution be delivered to the public press of our state, and copies furnished to the circuit and chancery clerks of the state, and real estate agents and justices of the peace, banks, cotton associations, and all others, within the state, to whom it would be proper.

BE IT FURTHER RESOLVED: That this resolution be brought to the attention of the Mississippi State Bar Association and presented to it for their further action thereon and endorsement.

RESOLUTION THAT ALLOTMENT TO JUNIOR BAR SECTION BE INCREASED (JR. BAR)

WHEREAS, the membership of the Junior Bar Section of the Mississippi State Bar Association, motivated by an unrelenting determination, has embarked upon the task of improving the functions, efficiency, and personal interest of the State Bar Association, and

WHEREAS, the membership of the Junior Bar Section, invigorated with zeal and inspiration, has manifested unusual interest in the State Bar Association, and is diligently engaged in expanding and promoting the programs and work generally of the State Bar Association, and

WHEREAS, it is the consensus of opinion of the Executive Committee of the Junior Bar Section that the budget allotment to the Junior Bar Section should be increased from $500.00 to $1000.00 per annum.

NOW BE IT RESOLVED that the budget allotment to the Junior Bar Section of the State Bar Association be increased to $1000.00 per annum commencing upon the passage and approval of this resolution.

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Barnett, James Arden
Jackson
Barnett, O. H., Jr.
Carthage
Barnett, Ross R.
Jackson
Barnett, Tom J.
Carthage
Barrett, John T.
Tupelo
Barrett, Pat M.
Lexington
Bass, Robert M., Jr.
Moselle
Bates, Henry Grady
New Orleans, Louisiana
Batson, Lewis E.
Wiggins
Bauer, T. L.
Natchez
Beach, John S.
Jackson
Beacham, Loyd Lamar, Jr.
Jackson
Bean, George
Okolona
Beard, W. A., Jr.
Laurel
Beard, Wirt Adams
Jacksonville, Florida
Bearden, Wm. Ellis, Jr.
Columbus
Beckett, R. Capel
Chicago, Illinois
Belk, Fred M.
Holly Springs
Belk, Wm. D.
Holly Springs
Bell, A. H.
Greenwood
Bell, B. F.
Starkville
Bell, Thomas A.
University
Belt, W. E.
Pascagoula
Berger, Mrs. Mary Gholson
Lake Village, Arkansas
Berger, Frederick C.
Natchez
Berman, Joseph E.
Lexington
Berry, Walter
Jackson
Bickerstaff, R. O.
Gulfport
Biedenharn, James P.
Vicksburg
Biggs, Robert A.
Jackson
Bigner, Wayne A.
Gulfport
Bilberry, J. Lee
Houston, Texas
Bills, Louis S., Jr.
Jackson
Billups, Richard, Jr.
Jackson
Birdsong, Samuel E., Jr.
Jackson
Birdsong, William Luther
Lula
Bibins, Walter R.
Leavell Woods
Bizzell, William Hardy
Cleveland
Black, E. C.
Marks
Black, Maurice R.
Carrollton
Black, William P.
Jackson
Blackwell, M. G.
New Orleans, Louisiana
Blackwell, Wm. Duncan
Wiggins
Blair, W. A.
Tupelo
Blalock, James A.
Washington, D. C.
Blass, William J.
Wiggins
Bliss, Ernest L.
Vicksburg
Blissard, Tom L.
Jackson
Bloom, Melton E.
Memphis, Tennessee
Blount, James A.
Charleston
Bodron, Ellis B., Jr.
Vicksburg
Bogen, Edward J.
Greenville
Bolton, C. R.
Tupelo
Bond, E. L.
Jackson
Bonds, Robert A., Jr.
Natchez
Bonney, E. C.
Laurel
Bonelli, Albert M.
Vicksburg
Boone, James A.
Jackson
Booth, Richard B.
Aberdeen
Boren, H. A.
Tupelo
Bostic, Carl C.
Jackson
Bourdeaux, Thomas D.
Meridian
Bouslog, M. P.
Mobile, Alabama
Boutwell, John Amos
Hickory
Bowdre, P. H.
Hernando
Bowling, Francis S.
Jackson
Bowling, Winston K.
Memphis, Tennessee
Bowring, Lynden
Biloxi
Boydstun, Reuben W., Jr.
Louisville
Boydstun, R. W.
Louisville
Boykin, Mack L.
Jackson
Boyles, J. B.
Batesville
Bozeman, Albert S., Jr.
Meridian
Boseman, A. S.
Meridian
Braden, William, Jr.
Baton Rouge, Louisiana
Bradley, Richard C.
New Augusta
Brady, Thomas
Brookhaven
Brady, Tullius
Brookhaven
Brame, Ollie D.
Magee
Bramlette, Maxwell
Woodville
Brand, Woodrow W.
Houston
Brandon, G. H.
Natchez
Brandon, J. M.
Natchez
Brannon, James R.
Jackson
Branton, William Coleman
Kosciusko
Bratton, C. A.
Oxford
Bratton, Thomas S.
Jackson
Breland, Daniel E.
Jackson
Breland, J. J.
Sumner
Breland, Curtis Van
McLain
Brennan, E. F.
Brookhaven
Brett, M. D.
Clarksdale
Brewer, E. Cage
Clarksdale
Brewer, Ed C.
Clarksdale
Brewer, Norman C.
Greenwood
Bridgforth, Allen
Yazoo City

Bridgforth, Walter R.
Yazoo City
Bridges, James T.
Belzoni
Bridges, L. C.
Purvis
Britton, E. H.
Macon
Broach, Walter, Jr.
Meridian
Broadus, A. Q.
Purvis
Broadway, L. J.
Meridian,
Brocato, V. J.
Clarksdale
Brody, Edward W.
Charlotte, North Carolina
Brock, Phil Oliver
McComb
Brooks, Homer
Washington, D. C.
Brooks, Rodney
Clarksdale
Broom, Harmon W.
Jackson
Brooks, William Dixon
Kosciusko
Broom, Vernon H.
Columbia
Broome, Willie M.
Crystal Springs
Brown, A. L.
Rolling Fork
Brown, Edwin Hull
Starkville
Brown, Ernest Luther
Macon
Brown, Henry N., Jr.
Jackson
Brown, James E.
Starkville
Brown, J. H.
Oxford
Brown, James T.
Jackson
Brown, Joseph E.
Natchez
Brown, L. W.
Starkville
Brown, Ronald C.
Laurel
Brownstein, Fred X.
Greenville
Bruce, Arthur
Greenwood
Brumfield, James Berry
Brookhaven
Brumley, Thomas B.
Mathiston
Brunini, Alexander J.
Vicksburg
Brunini, Edward
Vicksburg
Brunini, J. B.
Vicksburg
Bryan, Harry M.
Jackson
Bryant, Clifton E.
Jackson
Bryant, Rae
Gulfport
Buchanan, Frank J.
Meridian
Buchanan, Harry
Dallas, Texas
Buchanan, James R.
Laurel
Buford, James Dudley
Holly Springs
Bullock, Kenneth E.
New Orleans, Louisiana
Bullock, Mary Emma
Brandon
Bullock, Walter Earl
Columbia
Buntin, R. R.
Gulfport
Burgess, Ramon Larry
Tupelo
Burgin, Wm. G., Jr.
Columbus
Burkett, Amy
Ocean Springs
Burkett, John G.
Jackson
Burns, James A.
Meridian
Burns, Robert, Jr.
Jackson
Burris, T. O., Jr.
Columbus
Busby, Charles W.
Jackson
Busby, Paul Miller
Waynesboro
Bush, Fred Marshall, Jr.
Jackson
Bush, M. M.
Hattiesburg
Butler, George H., Jr.
Jackson
Butler, J. H.
Stonewall
Butler, James W.
Meridian
Butler, John Sharp
Quitman
Butts, Dr. A. B.
Arlington, Virginia
Butts, Lampkin Herbert
Gulfport
Byard, W. G.
Jackson
Byars, Wilton Vance
Bruce
Byrnes, C. F.
Natchez
Byrd, A. M.
Chicago, Illinois
Byrd, Joe G.
Meridian
Byrd, J. L.
Jackson
Byrd, J. M.
Leakesville
Byrne, George A.
Washington, D. C.
Cabaniss, Lem, Jr.
Columbia
Cain, James M.
Canton
Cain, S. Robert
Canton
Cain, Wm. Sterling
Canton
Caldwell, Thomas P.
Hattiesburg
Caldwell, Benj. M.
Marks
Caldwell, J. H.
Charleston
Caldwell, J. H., Jr.
Charleston
Caldwell, Thos. Eugene
Jackson
Calhoun, Edwin
Jackson
Calhoun, Edwin L.
Mount Olive
Calhoun, Robert L.
Hattiesburg
Callender, Bernard
Columbia
Callon, B. C.
Natchez
Cameron, Ben F.
Meridian
Cameron, Chas. B.
Meridian
Cameron, Overton Winston
Meridian
Camp, William Herman
Fulton
Campbell, Roy D.
Greenville
Campbell, Volney H.
Brookhaven
Campbell, George H.
Yazoo City
Campbell, J. Edwin
Laurel
Campbell, T. H.
Yazoo City
Campbell, T. H., Jr.
Yazoo City
Campbell, Virginia Ruth
Yazoo City
Canizaro, Jack
Vicksburg
Canizaro, P. J., Jr.
Vicksburg

Cannada, Robert Cox
Jackson
Caradine, J. E.
West Point
Carlisle, Robert Taylor
West Jackson
Carlisle, Jack B.
Ackerman
Carlton, C. Sidney
Sumner
Carmichael, Gerald B.
Utica
Carmichael, William D.
Crystal Springs
Carney, Frederick T.
New York, New York
Carney, K. A.
Clarksdale
Carothers, A. M.
Grenada
Carr, Dudley Raymond
Tupelo
Carr, J. M.
Newton
Carr, Michael L., Jr.
Yazoo City
Carruth, John Ellzey
Borger, Texas
Carter, B. F.
Laurel
Carter, H. T.
Columbus
Carter, William Oscar
Jackson
Carver, Fred A.
Bogue Chitto
Case, Joseph Troy
Brookhaven
Casey, Offa Lunsford
Laurel
Cassedy, J. W.
Washington, D. C.
Cassedy, Wm. P.
Brookhaven
Cassidy, J. J.
McComb
Carty, Buell Roscie
Brookhaven
Catchings, O. W.
Woodville
Catchings, Walter Lee, Jr.
Cleveland
Catoe, Earl V., Jr.
Webb
Causey, H. F.
Cleveland
Cauthen, Nelson R.
Canton
Chadwick, Carl A.
Natchez
Chambers, Paul
Jackson
Chandler, C. J., Jr.
New Orleans, Louisiana
Chandler, Joe B., Jr.
Dallas, Texas
Chaney, George
Vicksburg
Chapman, J. Kenton
Washington, D. C.
Charles, Sarah A.
Washington, D. C.
Chase, Clarence
Booneville
Chatham, Gerald W.
Hernando
Cheney, Reynolds S.
Jackson
Chill, Bernard W. N.
Jackson
Childress, W. M.
Jackson
Chiz, Raynold
Shaw
Christian, Murray
Houston, Texas
Clark, A. B.
Indianola
Clark, Charles
Jackson
Clark, Frank
Waynesboro
Clark, G. C., Jr.
Jackson
Clark, J. O.
Iuka
Clark, Lester
Hattiesburg
Clark, Thurman L.
Hattiesburg
Clay, John O.
Pontotoc
Clayton, W. L.
Meridian
Clayton, Claude F.
Tupelo
Clayton, Hugh N.
New Albany
Clayton, S. P.
Tupelo
Clements, E. C.
Rolling Fork
Clements, W. H.
Rolling Fork
Cleveland, Arthur T.
Fulton
Clifford, Charles C.
Morton
Clifton, Percy
Jackson
Cloninger, Coite E.
Washington, D. C.
Cochran, E. Louis
San Francisco, California
Cocke, J. W.
Jackson
Cody, F. G.
Biloxi
Cofer, Kermit R.
Water Valley
Cohen, Marvin A.
Jackson
Cohn, A. A.
Brookhaven
Cole, James E.
Monticello
Coleman, A. Jerry
Vaiden
Coleman, Edward F.
Purvis
Coleman, Howard Clark
Tunica
Coleman, Irwin W.
West Jackson
Coleman, J. M.
Aberdeen
Coleman, James P.
Ackerman
Coleman, Randolph
San Antonio, Texas
Coleman, Walter D.
Natchez
Coleman, William Dewitt
Ackerman
Collier, William R.
Hattiesburg
Collins, Curtis Lee
Carthage
Collins, Elson K.
Laurel
Collins, F. B.
Laurel
Collins, Jeff
Laurel
Collins, Melville N.
Meridian
Collins, Ross A.
Meridian
Collins, Robert W.
Yazoo City
Collum, Mrs. Aline J.
Jackson
Colmer, Wm. M.
Pascagoula
Collum, M. E., Jr.
Jackson
Colson, J. G.
Greenwood
Comer, Thomas Howard
Booneville
Conger, J. W.
Winona
Conn, W. D., Sr.
Corinth
Conner, Dudley W.
Hattiesburg
Conner, M. S.
Jackson
Conner, R. E.
Bay St. Louis
Connolly, Edwin P.
Laurel

Coody, A. S., Jr.
Jackson
Cook, Everett E.
Gulfport
Cook, Virgil G.
Avalon
Cooley, Donald C.
Hazlehurst
Conner, Claude E.
Columbia
Cooper, E. B.
Laurel
Cooper, Forrest G.
Indianola
Cooper, R. D.
Meridian
Cooper, Robert F., Jr.
New Orleans, Louisiana
Cooper, S. B.
Philadelphia
Corban, Harry L.
Fayette
Corban, L. C.
Biloxi
Corban, R. L., Jr.
Meridian
Corey, Lyle V.
Meridian
Cornell, Bruce G.
Gulfport
Corley, W. U.
Collins
Cossar, George P.
Charleston
Cottrell, David, Jr.
Gulfport
Covington, J. A., Jr.
Meridian
Covington, Robert E., Jr.
Brookhaven
Cowart, C. F.
Meadville
Cox, Allen
Baldwyn
Cox, Frank McRay
Mobile, Alabama
Cox, Raymond Stewart
Brookhaven
Cox, Stanley M.
Detroit, Michigan
Cox, W. A.
Marks
Cox, W. H.
Baldwyn
Cox, Wm. H.
Jackson
Craggs, C. J.
Cleveland
Crain, Harold G.
Bastrop, Louisiana
Crain, Mrs. Maxine Brunn
Bastrop, Louisiana
Crawford, Marvin
Jackson
Craft, S. W.
Raleigh
Crawley, David E., Jr.
Kosciusko
Crawley, James T., Jr.
Kosciusko
Creekmore, H. H.
Jackson
Creekmore, Rufus
Jackson
Creekmore, Wade H.
Jackson
Cresswell, William E.
Durant
Crisler, Alfred Nicols
Jackson
Crisler, Bert
Jackson
Crisler, Charles W., Jr.
Jackson
Craig, John
Jackson
Crigler, James C.
St. Joseph, Louisiana
Crisler, John W.
Clarksdale
Critz, Frank A.
West Point
Crocker, Rowell T.
Washington, D. C.
Crump, C. H.
Cleveland
Crump, Nannie-Mayes
Washington, D. C.
Culkin, J. H.
Vicksburg
Cunningham, E. Hugh
Jackson
Cunningham, F. W.
Booneville
Cunningham, J. E.
Booneville
Cunningham, James A.
Booneville
Cunningham, J. A., Jr.
Booneville
Cunningham, Lawrence P.
Louisville
Cunningham, W. R.
Booneville
Currie, E. J., Jr.
Hattiesburg
Currie, George C.
Hattiesburg
Currie, George W.
Hattiesburg
Currie, Homer
Raleigh
Currie, Overton A.
Hattiesburg
Curtis, Chester H.
Clarksdale
Custy, Arthur B.
University
Cutrer, R. W.
Magnolia
Dabney, F. Y.
Vicksburg
Dabney, J. B.
Vicksburg
Dabney, L. B.
Vicksburg
Dabney, Lucius B.
Vicksburg
Dale, James Seaborn, Jr.
Columbia
Dale, Joseph
Prentiss
Dale, R. H.
Columbia
Dale, Sebe
Columbia
Dale, T. Price
Hattiesburg
Dalton, Terry J.
New York, New York
Daniel, G. Odie
Starkville
Daniel, Joe
Jackson
Darden, Elwyn
New Albany
Darden, Tom L.
New Albany
Davidson, Harold W.
Carthage
Davis, Cleveland
Itta Bena
Davis, Edwin D.
Port Gibson
Davis, Howard Q.
Indianola
Davis, Jefferson
Atlanta, Georgia
Davis, James L.
Louisville
Davis, T. B.
Columbia
Davis, Thomas D.
Tupelo
Davis, T. W., Jr.
Hattiesburg
Davis, Walter Dell
Jackson
Davis, W. S.
Waynesboro
Daws, J. H.
DeKalb
Day, J. O.
Atlanta, Georgia
Day, Lewis H.
Tampa, Florida
Day, R. H.
Decatur
Dean, Hermon
Canton
Deaton, Joe Sanford
Plantersville

Deavours, Burns M.
Laurel
Deavours, Jack
Laurel
Deen, Robert B., Jr.
Starkville
Dees, Anse
Philadelphia
Decell, Herman B.
Yazoo City
Dennis, Glender
Ellisville
Dent, E. L.
Collins
Denton, C. L.
Meridian
Dent, J. R.
Gulfport
Dent, R. L.
Vicksburg
Dent, W. W.
Collins
Denton, P. L.
Marks
Deterly, H. G.
Jackson
Deterly, Mrs. Ruth M.
Jackson
Diamond, Harry
Greenwood
Dickerson, Ralph S.
Kenova, West Virginia
Dickson, Archie L., Jr.
Gulfport
Dinsmore, R. R.
Jackson
Dixon, T. Vincent
Senatobia
Dodd, J. Hubern
Jackson
Doggette, Grover
Laurel
Dore, Donald E.
Jackson
Dorsey, Newman M.
Water Valley
Dossett, M. D.
Beulah,
Dottery, Rosalind
Boulder, Colorado
Doty, Jackson D.
Pontotoc
Doty, Lemuel H.
Biloxi
Dovith, Melvin
Marianna, Florida
Douglas, P. Lanier
Starkville
Doxey, Wall
Holly Springs
Doxey, Wall, Jr.
Holly Springs
Drake, Carl F.
Durant
Drake, Joseph T., Jr.
Port Gibson
Drew, Ernest R.
Mt. Ranier, Maryland
Dudley, Colbert
Jackson
Dulaney, J. W.
Tunica
Duncan, B. A.
Meridian
Dunn, A. C.
Meridian
Dunn, Edwin A.
Meridian
Dunn, J. Thomas
Meridian
Dunn, Vardaman S.
Jackson
Dunne, Joseph L., Jr.
Jackson
Dye, Bradford
Charleston
Dyer, Howard, Jr.
Greenville
Dyke, Herbert H.
Laurel
Eager, P. H., Jr.
Jackson
Easterling, Albert E.
Laurel
Easterling, Lamar F.
Jackson
Easterling, Mrs. Mary C.
Jackson
Easterling, E. Terrell
Lebanon, Tennessee
Eaton, B. E., Jr.
Gulfport
Eaton, James S.
Gulfport
Edmonds, Henry
Jackson
Edmonds, T. E.
Vicksburg
Edwards, A. K.
Mendenhall
Edwards, Allan T.
Jackson
Edwards, Ernest Ray
Jackson
Edwards, J. P.
Mendenhall
Edwards, Kenneth F.
Greenville
Eicke, Woodward G.
Washington, D. C.
Elledge, W. L.
Fulton
Elliott, Benton W.
Ripley
Engle, C. F.
Natchez
Enochs, DeWitt C.
Jackson
Estes, Wm. M.
Enterprise
Estopinal, Wm.
Gulfport
Ethridge, Eugene B.
Georgiana, Alabama
Ethridge, F. K., Jr.
Jackson
Ethridge, George H.
Jackson
Ethridge, George M., Jr.
Meridian
Ethridge, Thomas Ramage
Oxford
Ethridge, W. N.
Oxford
Ethridge, Wm. N., Jr.
University
Eudy, J. E.
Eupora
Evans, C. C.
Laurel
Evans, W. J.
Calhoun City
Everett, Frank E.
Indianola
Everett, Frank E., Jr.
Vicksburg
Everitt, Robert D.
Ruleville
Everett, W. M.
Hickory
Ewing, Jack H.
Jackson
Ewing, John B.
McComb
Ewing, William R.
Jackson
Fair, Charles D.
Louisville
Falkner, J. W. T.
Oxford
Fankhauser, Carl E.
New Orleans, Louisiana
Fant, Herbert M.
Sardis
Fant, Lester G., Jr.
Holly Springs
Farley, Robert J.
University
Farese, John A.
Ashland
Farish, H. P.
Greenville
Farmer, Henry King
Mendenhall
Farrell, Herbert D.
Holly Bluff
Fatherree, J. D.
Quitman
Favre, Sam L., Jr.
Kiln
Featherstone, F. M.
Moorhead

Featherstone, L. R.
Jackson
Featherstone, R. W.
Indianola
Fedric, Wm. Henry
Grenada
Feduccia, Joseph C.
Cleveland
Feibelman, Cedric L., Jr.
Vicksburg
Felts, Holland O.
Greenville
Ferguson, Virginia I.
Montgomery
Finch, Ellis W.
Booneville
Finch, Harold E.
Mississippi City
Finch, J. D.
Iuka
Finch, James
Hattiesburg
Finch, J. S.
Booneville
Finley, J. A.
Tupelo
Fischel, E. C.
Hattiesburg
Fitzpatrick, Harvey
Natchez
Fisher, Mrs. Margaret E.
Perry Point, Maryland
Fleming, Robert E.
Jackson
Fleming, James M., Jr.
Atlanta, Georgia
Flowers, Henry Grady
Jackson
Flowers, J. N.
Jackson
Flowers, U. Grey, Jr.
Vicksburg
Floyd, Earle N.
Gulfport
Floyd, Jason H.
Gulfport
Floyd, J. C.
Meridan
Floyd, L. R.
Magee
Fontaine, J. B.
Pontotoc
Fontaine, W. B.
Jackson
Foote, Lawrence Y.
Hattiesburg
Ford, A. L.
Washington, D. C.
Ford, Bobbie B.
Jackson
Ford, Evon A.
Taylorsville
Ford, E. J., Jr.
Gulfport
Ford, J. I.
Pascagoula
Ford, Wm. Reynolds
Kosciusko
Forman, J. M.
Indianola
Forman, L. L.
Meadville
Forman, Richard Brent, Jr.
Natchez
Fortenberry, Davis T.
Hattiesburg
Fountain, D. G.
Jackson
Fox, John H.
University
Fraiser, John J., Jr.
Greenwood
Franklin, J. B.
Jackson
Franklin, J. E.
Jackson
Franklin, Lester C.
Jackson
Franklin, Lester C., Jr.
Jackson
Franks, Donald
Booneville
Franks, Kenneth I.
Philadelphia
Frierson, John F.
Columbus
Fuller, Samuel Wm.
Osceola, Arkansas
Gage, Robert Douglas, III
Port Gibson
Galloway, Charles R.
Gulfport
Gandy, Edythe Evelyn
Hattiesburg
Gandy, George
Collins
Gantt, Cecil E.
Meridian
Garcia, Juan Rocafort
Hatillo, Puerto Rico
Gardner, Albert S.
Jackson
Gardner, Tom M.
Gulfport
Gardner, John N.
Gulfport
Garner, A. H.
Joplin, Missouri
Garner, Boyce Lee
Hernando
Garner, Martin
Tunica
Garraway, J. T.
Purvis
Gartin, Carroll
Laurel
Gary, W. D.
Eupora
Gaston, Chester Davis
Columbus
Gautier, H. W.
Pascagoula
Gee, John B.
Rolling Fork
Geisenberger, W. A.
Natchez
Genin, R. L.
Bay St. Louis
Gerald, Eugene
Leland
Gerald, Martha Wilson
Jackson
Gex, Emile J., Jr.
Bay St. Louis
Gex, Lucien M.
Bay St. Louis
Gex, W. J.
Bay St. Louis
Gholson, Daniel P.
Holly Springs
Gibbes, C. Denton, Jr.
Laurel
Gibbs, Tyrus Cobb
Jackson
Gilbert, V. W.
Meridian
Gillespie, Hugh B., Jr.
Jackson
Gillespie, R. G.
Meridian
Gilliam, L. Alex, Jr.
Greenville
Gilliland, Ben D., Jr.
Memphis, Tennessee
Gillis, J. K.
Philadelphia
Ginsberg, Herbert
Hattiesburg
Gipson, Champ
Meridian
Gipson, J. R.
Meridian
Gipson, J. V.
Meridian
Glass, D. H.
Kosciusko
Glazier, Herman Cowan, Jr.
Rolling Fork
Gober, Curtis A.
Iuka
Good, V. W.
Vicksburg
Goodman, F. C.
Biloxi
Gordon, Chas. M.
Jackson
Gordon, C. T.
Liberty
Gordon, Joe D.
Liberty
Gordon, John H.
Belzoni

Gordon, Walter S.
Carpenter
Gordon, Wm. H.
Arlington, Virginia
Gore, Ney M., Jr.
Marks
Gore, W. E.
Jackson
Gore, T. N.
Marks
Goss, Roy J.
Columbia
Graham, D. M.
Gulfport
Graham, D. M., Jr.,
Gulfport
Graham, Hardy M.
Union City, Tennessee
Graham, J. H.
Meridian
Graham, S. J.
Meridian
Grant, Leslie B.
Biloxi
Grantham, Gordon
Jackson
Graves, Charles L.
Jackson
Graves, Ernest Williams
Laurel
Gray, Reginald A., Jr.
Hattiesburg
Greaves, J. M.
Canton
Greaves, P. D.
Gulfport
Green, A. Wigfall
University
Green, B. A.
Mound Bayou
Green, E. H.
Cleveland
Green, Garner W., Jr.
Jackson
Green, Garner Wynn
Jackson
Green, John T.
Natchez
Greene, John D., Jr.
Starkville
Green, Joshua
Jackson
Green, Thomas K.
Natchez
Grice, L. E.
Crystal Springs
Griffin, J. R.
Eupora
Griffin, Mrs. Julia S.
Greenville
Griffin, P. J.
Jackson
Griffing, Homer B.
Meadville,
Griffith, Paul S.
Waynesboro
Griffith, Thomas J., Jr.
Ackerman
Gross, David
Laurel
Grower, John Marshall
Tupelo
Grubbs, George B.
Mendenhall
Grubbs, Julius W.
Hattiesburg
Guice, Claude W.
Jackson
Guice, Daniel D.
Biloxi
Guice, Jacob D.
Biloxi
Guice, Stephen L.
Biloxi
Guice, W. L.
Biloxi
Guider, Ben
Vicksburg
Gunn, Wallace R.
Brookhaven
Gunn, William J., Jr.
Meridian
Guynes, J. F.
Hazlehurst
Guyton, J. D.
Kosciusko
Guyton, John Davis
Kosciusko
Gwin, Lucien C.
Natchez
Gwinnup, Harry G.
Jackson
Haddock, James H.
Philadelphia
Hafter, Jerome S.
Greenville
Hagee, Talmadge M
McComb
Hairston, Brown C.
Crawford
Hairston, Charles C., Jr.
Hattiesburg
Hakes, Doric D.
Hattiesburg
Haley, A. M.
Jackson
Hall, H. G.
Brookhaven
Hall, Wm. G.
Flora
Hall, Lee D.
Jackson
Hall, Stanton A.
Hattiesburg
Hall, Toxey
Columbia
Hamilton, George S.
Jackson
Hamilton, Lowell D.
Jackson
Hamlin, James E.
West Point
Hamlin, Wilbur G.
West Point
Hamm, William J.
Jackson
Hammond, Kelly J.
Columbia
Hamner, W. M.
Greenwood
Handy, Geo. Stuart
Natchez
Hannah, T. C.
Hattiesburg
Hannon, Andrew J.
Raymond
Haralson, William
Hattiesburg
Harmon, F. S.
New York, New York
Harmon, Robert H.
Meridian
Harmon, John M.
Union
Harper, A. Y.
Jackson
Harper, Charles E.
McComb
Harper, Jack E., Jr.
Indianola
Harper, Matthew, Jr.
Laurel
Harrington, John F.
Jackson, Tennessee
Harris, Francis M.
Water Valley
Harris, W. R.
West Jackson
Hartford, Robert W.
Jackson
Hartley, T. A.
Kansas City, Missouri
Harty, Emmet
Greenville
Harwell, J. Emerson
Meridian
Hathorn, C. V.
Columbia
Hathorn, F. C., Jr.
Hattiesburg
Hathorn, Hoy
Louisville
Hauberg, Robert E.
Jackson
Hawkins, Armis E.
Houston
Hawkins, George B.
Jackson
Haydon, Chas. R.
Gulfport
Haynes, M. Paul
Baldwin

Hedgepeth, T. H.
Jackson
Hegwood, A. W.
Detroit, Michigan
Heidelberg, Cecil F., Jr.
Jackson
Heidelberg, H. P.
Pascagoula
Heidelberg, R. W.
Hattiesburg
Heidelberg, Rowland W., Jr.
Hattiesburg
Heiss, J. L., Jr.
Gulfport
Henderson, Robert Harvey
Sumner
Hendrick, Leon F.
Jackson
Hendricks, Thomas M., Jr.
Meridian
Hengen, Louis
Biloxi
Henington, Lamar
Hattiesburg
Henley, Charles B.
Hazlehurst
Henley, W. S.
Hazlehurst
Henry, W. A.
Yazoo City
Herring, Charles H.
Meadville
Herring, Geo. B.
Jackson
Herring, H. Lee
Ruleville
Hester, James D.
Laurel
Hewes, Gaston
Gulfport
Hewes, Wm. G.
Gulfport
Hewitt, F. D.
McComb
Hewitt, Wm. H.
Jackson
Hewitt, W. Wilson
Meadville
Hezel, Henry M.
Miami, Florida
Hicks, Graham H.
Natchez
Hickman, Will A.
Monticello
Hilbun, Henry, Jr.
Laurel
Hill, Robert E.
Tupelo
Hill, John T.
Pascagoula
Hill, Wiley C.
Tupelo
Hillman, J. B.
Philadelphia
Hillman, T. Horton
Lucedale
Himelstein, Ben
Moorhead
Hinerman, Channcey D.
Moundsville,
West Virginia
Hines, Harry H., Jr.
Kosciusko
Floyd, Matelyn
Rochelle Park,
New Jersey
Higgins, John B.
Gulfport
Hobbs, H. W.
Brookhaven
Hobbs, Henry Ware, Jr.
Brookhaven
Hobbs, W. E.
Moorhead
Hobby, Robert J.
University
Hoffman, C. L.
Gulfport
Hoffman, Harry O., Jr.
Hazlehurst
Hogue, Hamilton M.
Jackson
Holcomb, Pascal D.
Clarksdale
Holland, Clarence E.
Jackson
Holland, Ralph L.
Jackson
Hollis, J. O.
Carthage
Holleman, Jesse Boyce
Wiggins
Holloman, Frank C.
Laurel
Holloman, John H.
Columbus
Holmes, D. W.
Hattiesburg
Holmes, E. R., Jr.
Jackson
Holmes, E. C., Jr.
Hernando
Holmes, G. M.
Aberdeen
Holmes, Herbert
Senatobia
Holmes, H. T.
Winona
Holmes, J. G.
Yazoo City
Holmes, John S.
Yazoo City
Holyfield, Thomas K.
Washington, D. C.
Hood, Josephine
Canton
Hooker, Harry A.
Gulfport
Hopkins, Hugh Sam
Jackson
Hopkins, Joseph W.
Clarksdale
Hopper, H. A.
Corinth
Horan, John
Water Valley
Horan, Leo
Murphreesboro, Tennessee
Hornsby, Clare B., Mrs.
Biloxi
Hornsby, Oliver
Natchez
Horton, Cowles
Grenada
Horton, Frank Collins
Grenada
Horton, Wm. T.
Jackson
Hosemann, Charles D.
Vicksburg
Houston, D. W., Sr.
Aberdeen
Houston, D. W., Jr.
Aberdeen
Howard, Perry W.
Washington, D. C.
Howerton, Huey B., Jr.
University
Howie, Joseph
Jackson
Huber, H. T.
Canton
Huff, J. Knox
Forest
Huff, Thos. M.
Forest
Huff, Wm. A.
Forest
Huff, William Jennings
Memphis, Tennessee
Huffman, Theodore G.
University
Hughes, Abner E.
Biloxi
Hughes, Frank K.
Kossuth
Hughes, Daniel C.
Macon
Hughes, Philip D.
Stonewall
Hulen, Mrs. Elizabeth W.
Jackson
Hunt, F. M.
Hattiesburg
Hunter, J. Q., Jr.
Union
Hurdle, Sidney L.
Holly Springs
Hutchins, Clyde H.
Corinth
Hutchison, C. B.
Tupelo

Hutchison, Edward G.
Summit
Hutto, W. M.
Waynesboro
Hytken, Robert M.
Cleveland
Idom, Osborn I.
Jackson
Inman, C. E.
Jackson
Inman, Cecil E., Jr.
Jackson
Inzer, William H.
Pontotoc
Ishee, Carroll B.
Biloxi
Ivy, Gates
West Point
Jackson, Chatwin Mabry, Jr.
Lexington
Jackson, F. B.
Jackson
Jackson, Robert E.
Cleveland
Jackson, Robert E., Jr.
Cleveland
Jackson, William F.
McComb
Jacobs, Charles C., Jr.
Cleveland
Jaggers, Boudie A.
Pontotoc
Jameson, Jay R., Jr.
Abilene, Texas
Jameson, Josephine M.
Abilene, Texas
Jarratt, Hill
Batesville
Jarvis, R. T.
Booneville
Jennings, Samuel N.
Kosciusko
Jiggetts, Mrs. Lavonia
Jackson
Johnson, Alvis C.
Meridian
Johnson, C. E.
Union
Johnson, D. R.
Batesville
Johnson, Forrest A.
Natchez
Johnson, H. H.
Lexington
Johnson, Joseph E.
Batesville
Johnson, Paul B., Jr.
Hattiesburg
Johnson, Roy E.
Senatobia
Johnson, O. W.
Prentiss
Johnson, William H.
Decatur
Johnston, Albert S., Jr.
Biloxi
Johnston, H. Grady
Hernando
Johnston, Means
Greenwood
Johnston, Oscar
Scott
Johnston, Thomas H.
Corinth
Jolly, Bill
Columbia
Jones, A. H.
Woodville
Jones, Bernard M.
Pickens
Jones, Bert H.
McComb
Jones, C. J.
Waynesboro
Jones, C. Randall, Jr.
Past Christian
Jones, Ernest M.
University
Jones, Edward I.
Bay St. Louis
Jones, H. F.
Belzoni
Jones, James E.
Jackson
Jones, J. Telford
Iuka
Jones, L. Barrett
Jackson
Jones, P. Z.
Jackson
Jones, R. L.
Brookhaven
Jones, Sam B. T., Jr.
Gulfport
Jones, W. Arlington
Hattiesburg
Jones, W. D.
Cleveland
Jones, Woodrow C.
Waynesboro
Jones, W. Roger
Hazlehurst
Jones, W. V.
Waynesboro
Joor, J. S.
Rolling Fork
Joor, William Walker
Oxford
Jordan, Albert W.
Kenova, West Virginia
Jordan, R. A.
Greenwood
Jordan, Terral A.
McComb
Kahlmus, Maruice F.
Birmingham, Alabama
Katz, Andrew D.
Hattiesburg
Katzenmeyer, Leonard, Jr.
Vicksburg
Katzenmeyer, C. Leonard
Vicksburg
Keady, William C.
Greenville
Keaton, Grayson B.
Picayune
Kellner, Ernest
Greenville
Kellner, Ernest, III
Greenville
Kellum, Joseph W.
Sumner
Kelly, A. F.
Hattiesburg
Kelly, R. M.
Hattiesburg
Kelly, J. W., Jr.
New Orleans, Louisiana
Kemp, Carroll
Hazlehurst
Kendall, Henry M.
Jackson
Kendall, James T.
Jackson
Kendrick, John M.
Edwards
Kervin, J. D., Jr.
Jackson
Keyer, James H.
Natchez
Keyes, John Knox
Collins
Keys, R. Taylor
Sardis
Kilgore, Charles D.
Jackson
Kimble, Raymond V., Jr.
Greenville
Kimbrell, Frank C.
Jackson
Kimbrough, O. L., Jr.
Greenwood
King, Benjamin
Hazlehurst
King, Calvin R.
Durant
King, Joe R.
Hattiesburg
King, Robert
Jackson
King, S. R.
Durant
Kirby, R. H.
Clarksdale
Kirk, Lee Gibbs
Walnut Grove
Kirschten,
Mrs. Elizabeth Gwin
Evanston, Illinois
Knight, Joseph S.
Meridian
Knight, William A.
Jackson

Knox, Baxter N., Jr.
New Albany
Koch, Harry E.
Laurel
Kuykendall, John M., Jr.
Jackson
Kuykendall, John M.
Charleston
Kuykendall, Roy C.
McComb
Kyle, John W.
Jackson
Kynard, Boyd E.
Bruce
Ladner, Hiram G., Jr.
Ripley
Lake, J. A., Jr.
Greenville
Lamar, E. L.
Calhoun City
Lamb, Lomax B., Jr.
Marks
Land, John R., Jr.
Gulfport
Landman, B. R.
Jackson
Landrum, Ralph
Jackson
Landrum, Roger C.
Columbus
Latham, W. F.
Quitman
Laub, S. B.
Natchez
Laughlin, Wm. F.
Jackson
Lawler, William J.
San Francisco, California
Lawless, Michael H.
Columbia
Lawrence, T. J.
Vicksburg
Leak, H. C.
Woodville
Lee, Dan M.
Jackson
Lee, Gettys
Booneville
Lee, Harvey A.
Rock Hill, South Carolina
Lee, Percy M.
Forest
Lee, Roy Noble
Forest
Lehman, Clayton E.
Gulfport
Leland, Edwin S.
Gulfport
Lenoir, James J.
Athens
Lenoir, William V., Jr.
McComb
Levy, Nathan, Jr.
Vicksburg
Lindsey, Ewart G.
Gulfport
Lindsey, H. Lee
Jackson
Levingston, Alfred A.
Cleveland
Lewis, Clayton
Philadelphia
Lewis, Meyer A., Jr.
Jackson
Lewis, T. W., Jr.
Columbus
Lindholm, P. P.
Lexington
Lindsey, Edward
Gulfport
Lindsey, English
Gulfport
Lingle, H. B.
Petal
Lipscomb, Hubert
Jackson
Lipscomb, L. P. B.
Cleveland
Livingston, Edward M.
Louisville
Livingston, Robert
Prentiss
Livingston, W. H.
Prentiss
Lloyd, Joseph W.
Greenville
Lloyd, Samuel Thames, Jr.
Brookhaven
Lobrano, J. R.
Meridian
Loerke, Carl F.
Jackson
Logan, R. F. B.
Hernando
Lomax, William A.
Grenada
London, Alvin N.
Jackson
Long, L. H.
Jackson
Long, S. H.
Tupelo
Long, Wm. Byron
Tupelo
Longina, C. S.
Clarksdale
Loomer, John B.
Yazoo City
Lopez, Arnaud O.
Biloxi
Lord, Richard G.
Meridian
Lott, W. H.
Greenwood
Lott, Y. D., Jr.
Mobile, Alabama
Lotterhos, Julius L.
Crystal Springs
Lotterhos, F. J.
Jackson
Love, John Clark
Kosciusko
Love, H. M., Jr.
Yazoo City
Love, James S., Jr.
Biloxi
Love, Robert T.
Greenville
Loving, B. H.
West Point
Lowe, J. T.
Tunica
Lowrey, Stovall
Clarksdale
Lowrey, J. T.
Gloster
Lowry, Ruffin T.
Lafayette
Lucas, W. B.
Macon
Luckett, I. Semmes
Clarksdale
Luckett, William O.
Clarksdale
Lumpkin, Hugh
Hernando
Lumpkin, Sam E.
Tupelo
Ludlam, Warren V., Jr.
Jackson
Lyell, G. Garland
Jackson
Lyell, G. Garland, Jr.
Jackson
Lyell, Louis J.
Jackson
Mackey, Joseph B.
Brandon
Madole, B. F.
Shreveport, Louisiana
Magee, Otho,
Jackson
Magee, Shirley
Monticello
Magruder, A. F.
Starkville
Magruder, J. D.
Tunica
Majure, R. S.
Newton
Malone, Maurice L.
Lucedale
Malone, N. H.
West Point
Maloney, John P.
Jackson
Mansell, Magruder L.
Jackson
Manship, Luther
Jackson
Maples, Luther W.
Gulfport

Marble, Roland D.
Tylertown
Marcus, Charles
Chiciago, Illinois
Marsalis, O. M.
Drew
Martin, Burkette H.
Vicksburg
Martin, G. L.
Jackson
Martin, Jeff D., Jr.
Raleigh
Martin, L. L.
Macon
Martin, Lloyd L.
Starkville
Martin, Percy A.
Dorsey
Mansour, Philip
Greenville
Massey, Alton
Kosciusko
Massey, E. W.
Booneville
Mauldin, B. P.
Pontotoc
May, George W.
Jackson
May, Mrs. Rose P.
Jackson
May, Walter Dent
Jackson
Mayfield, Barton
Mobile, Alabama
Mayfield, Charles R., Jr.
West Point
Mayfield, J. B.
Poplarville
Maynard, Fletcher F.
Clarksdale
Maynard, G. F., Jr.
Clarksdale
Maynard, Wm. H.
Clarksdale
Maxey, George D.
Jackson
Maxwell, Maurice C.
University
Maxted, D. J.
Pascagoula
McBee, Richard G., Jr.
Greenwood
McCants, Allan
Meridian
McClaren, L. S.
McComb
McClellan, Thompson
West Point
McClendon, B. B.
Jackson
McClintock, George T.
Belzoni
McClure, James, Jr.
Sardis
McCool, D. C.
Canton
McCraw, A. B.
Philadelphia
McCraine, C. H., Jr.
Houston
McCullen, Dan M.
Jackson
McCrory, Howard B.
Forest
McCully, J. T.
DeKalb
McDade, Helen J.
DeKalb
McDill, Jack
Laurel
McDonald, Edward L.
Meridian
McDonald, Ewell J.
Jackson
McDonald, John Pink
Tupelo
McDonald, J. T.
Meridian
McDonnell, Howard A.
Biloxi
McDowell, Edward F.
Jackson
McElroy, T. H.
Oxford
McFarland, Ben H.
Aberdeen
McFarland, J. A.
Bay Springs
McFarland, Joe A., Jr.
Bay Springs
McFarland, Robert H.
Bay Springs
McGee, Roy J.
Biloxi
McGee, S. E.
Hickory
McGehee, William F.
Vicksburg
McGehee, Carl A.
Pascagoula
McGehee, Dan R.
Meadville
McGehee, Harvey
Jackson
McGehee, Herman B. Mayes
Meadville
McGehee, James C.
Bude
McGlohn, Charles L.
Levittown, L. I.
New York
McGowan, M. M.
Jackson
McGough, W. M.
Greenville
McIlwain, W. L.
Greenville
McIlwain, Samuel D.
Waynesboro
McIntosh, Hugh, Jr.
Collins
McIntosh, L. K.
Moss Point
McIntosh, Maurice
Collins
McIntyre, W. E.
Brandon
McIntyre, W. E., Jr.
Brandon
McKee, H. K.
Picayune
McKee, William Q.
Starkville
McKeigney, Alexander
Jackson
McKibben, Dale H.
Jackson
McKibben, Dale H.
Water Valley
McLain, W. G.
McComb
McLean, George H.
Greenwood
McLean, Margaret
Jackson
McLellan, Pearl
Greenwood
McLeod, D. A.
Mount Olive
McLeod, O. L.
Pascagoula
McManus, Dessie E.
Jackson
McMillan, Gerald M.
McComb
McMorrough, G. H.
Lexington
McMullan, George K.
Jackson
McMurry, Pelham
Paducah, Kentucky
McLendon, Frank W.
Laurel
McNutt, Robert N.
Tupelo
McRae, Fred P.
Jackson
McRaney, A. W.
Magee
Meadows, R. B., Jr.
Gulfport
Meek, George Daniel
Jackson
Meek, Walter
Houston
Melton, Louise
Raymond
Melvin, Leonard B.
Laurel
Melvin, Leonard B., Jr.
Laurel
Menninger, Charles N.
Jackson

Morton, Brinkley
Senatobia
Merrell, G. H.
Collins
Miller, Leighton S.
Clarksdale
Miller, J. Wesley
Rolling Fork
Miller, M. V. B.
Meridian
Miller, Raymond W.
Washington, D. C.
Mills, Eula Bonnie
Jackson
Milstead, Claude W.
Jackson
Minniece, Thomas Y.
Meridian
Minor, Jack B.
Meridian
Mirike, Don
Houston, Texas
Mitchell, Charles S.
Pascagoula
Mitchell, Ely B.
Corinth
Mitchell, Guy W.
Tupelo
Mitchell, Guy W., Jr.
Tupelo
Mitchell, Joe B.
Corinth
Mitchell, Milton H.
Jackson
Mize, F. F.
Forest
Mize, Sidney C.
Gulfport
Mize, Webb
Gulfport
Moffitt, Martha Rose
Chicago, Illinois
Monaghan, Noel
Tupelo
Moncure, Mrs. Claribel H.
Waco, Texas
Montgomery,
Edmund Warren, II
Jackson
Montgomery, Gerald J.
Greenwood
Montgomery, Goode, Jr.
Laurel
Montgomery, M. B.
Yazoo City
Montgomery,
Malcolm B., Jr.
Yazoo City
Montgomery, V. B.
Belzoni
Montgomery, William G., Jr.
Yazoo City
Montjoy, Paul D., Jr.
Greenwood
Montjoy, W. H.
Greenwood
Moore, Alfred
Hattiesburg
Moore, Edward D.
Jackson
Moore, Joe A.
Pascagoula
Moore, Paul M.
Calhoun City
Moore, Robert S.
Charlotte, North Carolina
Moore, Wilburn D.
Philadelphia
Morehead, Yerger
Greenwood
Morgan, C. E.
Kosciusko
Morgan, Clarence E., Jr.
Kosciusko
Moroney, William T.
Tupelo
Morris, F. M.
Hattiesburg
Morris, Forrest M., Jr.
Hattiesburg
Morrison, H. L.
Okolona
Morse, J. M.
Poplarville
Morse, Joshua M., III
Poplarville
Morse, Stanford E.
Gulfport
Morse, William E.
Jackson
Mortimer, John R.
Belzoni
Morton, Perry W.
Itta Bena
Moss, J. O.
Lucedale
Mounger, Breed O.
Tylertown
Mounger, Harvey T.
Hattiesburg
Mounger, Henry
Columbia
Mounger, W. M.
Jackson
Moynihan, Humphrey C.
Laurel
Mueller, George A.
Chicago, Illinois
Murray, John C., Jr.
Brandon
Murphy, Charles M., Jr.
Belzoni
Murphy, Williams S.
Lucedale
Murray, Harry K.
Vicksburg
Murray, J. C.
Brandon
Murray, Thomas A.
Detroit, Michigan
Murrell, George F.
Gulfport
Murry, W. V.
Hattiesburg
Nason, Robert E.
Ackerman
Nason, Will A.
West Palm Beach,
Florida
Neal, George S., Jr.
Jackson
Neely, William H.
Jackson
Neely, William T.
Jackson
Neill, J. C.
North Carrollton
Neill, W. C.
North Carrollton
Neilson, E. T.
Lexington
Nelson, A. M.
Jackson
Netterville, Robert E.
Natchez
Nettles, S. R.
Meridian
Nevels, Mrs. Alice
Jackson
Neville, G. B.
Meridian
Neville, William deB.
Meridian
Newcomb, Hugo
Jackson
Newman, W. R., Jr.
Jackson
Newton, Robert S.
Wiggins
Nichols, James E.
Vicksburg
Nichols, Robert G., Jr.
Jackson
Nichols, R. L.
Forest
Nix, Charles R.
Jackson
Noble, J. F., Sr.
Brookhaven
Noble, James F., Jr.
Brookhaven
Nobles, George B.
Jackson
Nobles, Roy P.
Laurel
Norquist, Griffin S.
Yazoo City
Norris, Mrs. Mildred W.
McComb
North, Linton D.
Belzoni
North, L. G.
Belzoni

Norsworthy, Clinch G., III
Jackson
Norsworthy, Jase Owen
Jackson
Nunnelly, Thomas B.
Fulton
Nunnery, Paul N.
Hollandale
Oates, O. M.
Bay Springs
O'Barr, Walter M.
Okolona
Odom, H. T.
Greenwood
Odom, Tillie
Jackson
Odom, William H.
Laurel
O'Donnell, David E.
Inverness
Ogden, J. N.
Mobile, Alabama
O'Mara, Junior
Jackson
Ormond, Seaborn E.
Jackson
Osborne, Roy L.
Ocean Springs
Ortte, Mrs. Evelyn
Marietta, Georgia
Ott, Thomas D.
Hattiesburg
Overstreet, N. W., Jr.
Jackson
Owen, Benjamin Ligon
Columbia
Owen, Harry D.
Jackson
Owens, H. S.
Jackson
Owings, William R.
Gulfport
Pacific, Larry A.
Laurel
Pack, Samuel V.
Laurel
Paine, Tom F.
Aberdeen
Palmer, Merle F.
Pascagoula
Palmer, Owen Thackara, Jr.
Gulfport
Palmes, G. V.
Washington, D. C.
Parker, H. H.
Poplarville
Parker, James E.
Meridian
Parker, Percy F.
Canton
Patterson, Albert T.
Calhoun City
Patterson, C. F.
Natchez
Patterson, E. B.
Monticello
Patterson, J. P.
Monticello
Patterson, James N.
Monticello
Patterson, Joe T.
Jackson
Patterson, William R.
Jackson
Patton, Fred B.
Oxford
Patton, Wright
New Orleans, Louisiana
Pavlik, Louis A.
Brookhaven
Pearson, John L., III
Rosedale
Pegram, T. E.
Ripley
Pegram, Thomas E., Jr.
Ripley
Penny, John L.
Jackson
Perkins, John E.
Baton Rouge, Louisiana
Perry, Marshall
Grenada
Perry, Robert E.
Jackson
Peteet, Porter
Greenwood
Peterson, M. J.
Laurel
Petty, R. J.
Greenwood
Peyton, F. Lewis
Jackson
Phillips, Charles W.
Baton Rouge, Louisiana
Phillips, John A.
Macon
Phillips, Logan B.
Jackson
Phillips, O. W.
Magnolia
Phillips, Robert Pearce
Brookhaven
Phillips, Walter J.
Bay St. Louis
Pickens, Roy Z.
Greenville
Pierce, James M.
Greenwood
Pierce, M. F.
Greenwood
Pierce, W. W.
Jackson
Pigford, Howard R.
Meridian
Pigott, Joe N.
McComb
Pilgrim, M. A.
Jackson
Pinnix, James A.
Amory
Pippen, Albert C.
Columbus
Pittman, Claude F.
Hattiesburg
Pittman, Claude F., Jr.
Hattiesburg
Pittman, Homer
Hattiesburg
Pittman, Luther David
Raleigh
Poitevent, Schuyler, Jr.
Ocean Springs
Pollard, Charles A.
Greenwood
Pollard, R. V., Jr.
Greenwood
Pollard, R. V.
Greenwood
Poole, John R.
Jackson
Poole, M. H.
Liberty
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